

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND EIGHTH LEGISLATURE

FIRST REGULAR SESSION

January 5, 1977 to July 25, 1977

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH IN
ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 164, SUBSECTION 6.

PORTLAND LITHOGRAPH COMPANY
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1977

PRIVATE AND SPECIAL LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

of the
ONE HUNDRED AND EIGHTH LEGISLATURE

1977

P&SL 1955, c. 69, § 16, 3rd sentence, as repealed and replaced by P&SL 1957, c. 8, § 1, is amended to read:

Said district, by resolution of its board of trustees, is for said purposes or any of them also authorized to issue, from time to time, notes, bonds or other evidence of indebtedness of the district, maturing serially or otherwise, in an amount or amounts, at such rates of interest, and on such terms and conditions as the board of trustees shall determine; provided, however, that the total indebtedness of said district at any one time outstanding shall not exceed the sum of ~~\$1,000,000~~ \$3,000,000; and provided further, that indebtedness of the district shall not be deemed to be outstanding if funds adequate for the payment thereof together with any interest due thereon and premium payable on account thereof, shall have been deposited with the paying agent named in the notes or bonds evidencing such indebtedness in trust for the purpose of making such payment.

Emergency clause; referendum; effective date. In view of the emergency cited in the preamble, this Act shall take effect when approved, only for the purpose of permitting its submission to the legal voters of the Town of Kennebunk, resident in the district, at the next regular town meeting to be held on the 21st day of March, 1977, or at a special town meeting to be called and held for the purpose within 3 months of the approval of this Act. Such special meeting shall be called, advertised and conducted according to the law relating to municipal elections; provided, however, that the selectmen of said town shall not be required to prepare for posting, nor the town clerk to post, a new list of voters, and for the purpose of registration of voters the board of voter registration shall be in session on the secular day next preceding said special election. The town clerk of said town shall prepare the required ballots, on which he shall reduce the subject matter of this Act to the following question:

“Shall ‘An Act to increase the total authorized indebtedness of the Kennebunk Sewer District from \$1,000,000 to \$3,000,000,’ passed by the 108th Legislature, be accepted?”

And the voters shall indicate by a cross or check mark placed against the words “Yes” or “No,” their opinion of the same. This Act shall take effect for all the purposes hereof immediately upon its acceptance by a majority of the legal voters voting at said election; provided that the total number of votes cast for and against the acceptance of this Act equals or exceeds 20% of the total vote for all candidates for Governor cast in said district at the next previous gubernatorial election.

The result of the vote shall be declared by the municipal officers of the Town of Kennebunk and due certificate thereof shall be filed by the town clerk with the Secretary of State.

Effective February 17, 1977

CHAPTER 4

AN ACT to Revise the Charter of the Aroostook-Prestile Treatment District.

Be it enacted by the People of the State of Maine, as follows:

P & SL 1973, c. 95, §§ 11 and 12 are repealed and the following enacted in their place:

Sec. 11. Trustees. All of the affairs of the district shall be managed by a board of trustees which shall consist of 12 members. Nine of the trustees shall be public trustees appointed in the following manner: Three of the trustees shall be appointed by the city council of the City of Presque Isle; 3 of the trustees shall be appointed by the city council of the City of Caribou; one of the trustees shall be appointed by the trustees of the Presque Isle Sewer District from their number; one of the trustees shall be appointed by the trustees of the Caribou Utilities District from their number; and one of the trustees shall be appointed by the board of selectmen of the Town of Easton. Three of the trustees shall be industrial user representatives and shall be selected by the industrial users, as that term is defined by 40 C.F.R. Section 35.905-8 and as it may be from time to time amended, of the district in such manner as they shall jointly determine. No public trustee shall be a director, officer or employee of an industrial user. The terms of the public trustees shall be for 3 years, except for the initial trustees whose term shall be determined by lot with 3 trustees serving for a one-year term, 3 trustees for a 2-year term and 3 trustees for a 3-year term. Trustees shall be eligible for reappointment.

No employee of the Presque Isle Sewer District, the Caribou Utilities District or the district shall be eligible for appointment to the board of trustees. If any of the offices of trustee shall become vacant, the entity appointing the trustee shall appoint a successor to fill the term of the vacant trustee.

Sec. 12. Procedures. A quorum of the trustees able to conduct any business shall be 7 in number; all votes shall be by a majority of those present and voting. The trustees from their own number shall choose a chairman and a clerk. The trustees may from time to time adopt, establish and amend bylaws consistent with the laws of the State of Maine, and necessary for their own convenience in the proper management of the affairs of the district and perform any other acts within the powers delegated to them by law. The trustees, by specific resolution, may authorize agents and employees of the district to execute any and all proper contracts or other documents of any nature in the name of the district. The trustees shall keep a record of their votes and resolves.

The trustees may appoint, determine the compensation, and, at its pleasure, remove a treasurer and such other officers, employees, agents or outside consultants as it shall deem proper to carry out the functions of the district. The salaries or compensation of all persons appointed or employed under this section, together with other expenses, shall be paid by the district and shall be considered a part of the expense of the operation of the district. The treasurer shall furnish bond in such sum and with such sureties as the trustees shall approve, the cost thereof to be paid by the district.

The public trustees shall be compensated \$25 per day or part of a day for their services and all trustees shall be paid for necessary travel and other expenses at the same rates as are employees of the State of Maine.

Trustees shall make an annual report of their activities and finances for the

preceding year and shall submit a copy thereof to the municipal officers of Presque Isle, Caribou and Easton, the Department of Environmental Protection and to any citizen of the district who shall request one. The financial portion of the report shall be certified by a certified public accountant.

The district shall have a seal consisting of a circular die bearing the words "Aroostook-Prestile Treatment District, 1973" which may be used whenever deemed advisable by the trustees on papers and documents issued or executed by it or its officers or employees on its behalf.

Effective October 24, 1977

CHAPTER 5

AN ACT Converting Mount Chase Plantation into the Town of Mount Chase and Converting Westmanland Plantation into the Town of Westmanland.

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the residents of the plantations wish to vote on converting Mount Chase Plantation and Westmanland Plantation into towns; and

Whereas, it is desirable for the residents to vote on this matter at a town meeting which will be held in March, 1977; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

Be it enacted by the People of the State of Maine, as follows:

Sec. 1. Town of Mount Chase incorporated. Mount Chase Plantation, with the inhabitants therein, is hereby incorporated into a town by the name of Mount Chase. The inhabitants of said town are hereby vested with the powers, privileges and immunities which the inhabitants of towns within the State do or may enjoy. The town hereby created shall take the effects belonging to Mount Chase Plantation and shall also assume all the obligations thereof.

Sec. 2. First meeting, how called. The board of assessors of the plantation shall issue their warrant, in accordance with the general laws, for an annual meeting to be held, at a time consistent with the normal annual meeting time in 1977. Notification of such meeting shall be filed by the plantation clerk with the Secretary of State for determining the effective date of sections 1 and 3.

Sec. 3. Legislative district. Until the next legislative apportionment of Representatives, the Town of Mount Chase shall remain in the same legislative district in which Mount Chase Plantation is now classed.