

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND TWENTIETH LEGISLATURE
FIRST REGULAR SESSION
December 6, 2000 to June 22, 2001

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 21, 2001

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

J.S. McCarthy Company
Augusta, Maine
2001

3. Hold public hearings and sponsor public forums;

4. Sue and be sued in its own name;

5. Accept funds, grants and services from federal, state, county and municipal governments or any agency thereof, gifts and stipends from its member towns, private gifts from individuals and entities and stipends and subsidies from Canadian governments for the provision of services to Campobello Island and the Province of New Brunswick; and

6. Apply for and accept loans and allocate and disburse funds received to carry out the purposes of the authority.

Debts of the authority authorized under this Act do not constitute or create any debt or liability on behalf of the State. Debts incurred under this Act do not directly, indirectly or contingently obligate the State to levy or to pledge any form of taxation or to make any appropriation for their payment. This subsection may not be construed to prevent the authority from pledging its full faith and credit to the payment of loans or other debts authorized pursuant to this Act.

Sec. 4. Duties. The authority shall:

1. Prepare an annual budget and require an annual audit that is made available for public inspection;

2. Follow uniform standards provided in Maine statutes insofar as they relate to Department of Public Safety rules;

3. Make provisions for emergency medical services in the county on a contract basis where new services are to be provided; however, where emergency medical services are already provided by existing services, they are not abolished by this Act without the express consent of the governing body of the area and vote of the existing medical services' board;

4. Implement a county-wide subscription membership program unless otherwise prohibited by law; and

5. Set and adjust an approved cost-basis schedule that is uniform throughout the county.

Sec. 5. Organization; conduct of business; meetings. The board must be organized and its business must be conducted in accordance with the following.

1. The board shall elect a chair, vice-chair, secretary and treasurer from among its members.

2. The secretary shall keep a record of the board's meetings. These records are public records.

3. The treasurer shall keep records of the board's transactions. These records are public records.

4. The treasurer must be bonded in an amount to be determined by the board.

5. A quorum of the board is established in the bylaws of the authority and must include the chair or vice-chair and the secretary or treasurer of the board.

6. The board shall adopt such bylaws and mission statements as are necessary for the legal operation and proper management of the authority.

Sec. 6. Meetings. The bylaws shall establish the annual meeting of the board. Additional meetings may be scheduled at the call of the chair or at the written request of any 5 members of the board.

A member who fails to attend board meetings 5 consecutive times may be replaced by the appointing authority. Notification of such absences from the secretary of the board to the appointing authority is sufficient to trigger the appointment of a replacement board member by the appointing authority.

Emergency clause. In view of the emergency cited in the preamble, this Act takes effect when approved.

Effective January 25, 2001.

CHAPTER 2

H.P. 24 - L.D. 24

An Act to Amend the Charter of the South Berwick Sewer District

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

Whereas, sewer facilities in the Town of South Berwick have already been installed in the ground in the area encompassed by the territorial expansion of the South Berwick Sewer District; and

Whereas, in order to provide adequate service to all entities that may have immediate need to receive service in the expanded territory, the district's expansion must be authorized immediately; 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. P&SL 1963, c. 226, §1, as amended by P&SL 1973, c. 27, §1, is further amended to read:

Sec. 1. Territorial limits; incorporation.

That part of the Town of South Berwick, in the County of York, and the inhabitants therein, which is bounded and described as follows: Beginning on the Maine bank of the Salmon Falls River at the southerly boundary line of the Boston and Maine Railroad bridge; thence turning and running northeasterly and southeasterly, by and along land of said Boston and Maine Railroad right-of-way and the division line between the Towns of Berwick and South Berwick, to the northwesterly sideline of Route 4, and continuing on said last course across Route 4 to the southeasterly sideline thereof; thence turning and running in a southerly direction, by the southeasterly sideline of Route 4 to the southerly sideline of the old Boston and Maine Railroad right-of-way; thence turning and running in an easterly direction, by and along the southerly sideline of said Boston and Maine Railroad right-of-way to the center line of Agamenticus Road; thence turning and running in a southwesterly direction, by the center line of said Agamenticus Road, to the center line of the right-of-way of the Central Maine Power Company 38 K.V. transmission line and which center line is taken to be the pole line of said transmission facility; thence turning and running south 23°-56' West through pole number 86 at station 244+66; thence continuing on said course to pole number 93 at station 262+82.13; thence turning and running South 8°-54' East to pole number 5 at station 268+61.28; thence turning and running South 35°-41' East to pole number 99 at station 281+60; thence turning and running South 40°-50' West to pole number 101 at station 287+79; thence turning and running South 66°-23' West through pole number 102 to a point which is 200 feet measured on said course from the northeasterly sideline of Academy Street, so called; thence turning and running southeasterly, on a line 200 feet, more or less, from the northeasterly sideline of said Academy Street, to a point on the center line of said Academy Street which point is determined by measuring 300 feet southeasterly from the intersection of the center lines of Route 236 and Liberty Street, so called; thence turning and running southwesterly to a point which is determined by measuring on a perpendicular whose base is at said last point a distance of 200 feet from said last point; thence turning and running in a general northwesterly direction on a line which is 200 feet from the center line of Academy Street across Route 236, and 200 feet from the center line of Liberty Street, so called, to a point on the property line of the Central Maine Power Company and a fence, which point is approximately 40 feet southerly on said fence line from a 48-inch Elm tree, and which is further determined by measur-

ing 200 feet southerly on a perpendicular whose base line is on the center line of said Liberty Street; thence turning and running southerly by said Central Maine Power Company's fence line to a corner; thence turning and running westerly by said Central Maine Power Company's fence line to a 48-inch Willow tree on the bank of the Salmon Falls River; thence turning and running northwesterly and northerly, by the Salmon Falls River, to the point of beginning; and including the following territory: Beginning at the South Berwick-Berwick town line, at Route 4, thence running by said Route 4 to the Pond Road; thence easterly to the Cross Road; thence southeasterly to Knight's Pond Road; thence westerly to the junction of Agamenticus Road and Emery's Bridge Road; thence easterly to Agamenticus Bridge; thence southerly along the Great Works River to the Salmon Falls River; and thence northwesterly along Salmon Falls River to existing South Berwick Sewer District plant; and including the following territory: Beginning at the point where the Great Works River intersects with the Central Maine Power line right-of-way approximately 6,000 feet from Route 91; thence running southwesterly along the westerly sideline of the Central Maine Power line right-of-way to the centerline of Route 91; thence turning and running southerly along the centerline of Route 91 to a point on a line 1,500 feet from the centerline and parallel to the centerline of Route 236; thence running southwesterly on said line that is 1,500 feet from and parallel with the centerline of Route 236 to the South Berwick-Eliot town line; thence turning and running westerly along the South Berwick-Eliot town line to the Salmon Falls River; thence turning and running northerly along the Salmon Falls River to the Great Works River; is hereby created a body politic and corporate under the name of "South Berwick Sewer District", hereinafter called the district, for the purposes of providing and maintaining within the district a system of sewers, drains, sewage facilities and sewage disposal plant when, as and if, such disposal plant becomes necessary, for public purposes and for the health, comfort, convenience and welfare of the inhabitants of said district.

Emergency clause. In view of the emergency cited in the preamble, this Act takes effect when approved.

Effective April 6, 2001.

CHAPTER 3

S.P. 10 - L.D. 2

**An Act to Clarify the Division Line
Between the Towns of Deer Isle and
Stonington**