

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

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TITLE 3, SECTION 164, SUBSECTION 6.

PORTLAND LITHOGRAPH COMPANY
PORTLAND, MAINE
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

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

Effective May 26, 1977

CHAPTER 42

AN ACT Relating to the Payment to Provide for Waste Disposal at Mt. Ararat High School.

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

Whereas, the Navy Base in Topsham is currently providing sewage waste treatment from Mt. Ararat High School; and

Whereas, the Navy Base has been required to tie in to the Topsham town sewer line; and

Whereas, the Navy has required that School Administrative District No. 75 pay a proportionate share of the cost for new construction based on sewage flow level, this amount is being set at \$23,000; and

Whereas, the only alternative for School Administrative District No. 75 is to connect directly to the new town sewer line, a distance of over 2,000 feet away, at an estimated cost of \$50,000 to \$75,000; and

Whereas, the need to provide for waste disposal for Mt. Ararat High School constitutes an absolute emergency; and

Whereas, the Navy construction will take place off the school site; and

Whereas, off-site construction cost may not be authorized by the State Board of Education; 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:

The prorated share of the Navy sewer connection deemed payable from emergency capital funds. The prorated cost of connecting the Navy pumping station to the Town of Topsham sewer line, the cost of which shall not exceed \$23,200, is deemed in this isolated instance to be a construction project cost and the State Board of Education is authorized to consider a request from School Administrative District No. 75 for reimbursement under the provisions of Title 20, section 3750.

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

Effective May 26, 1977

CHAPTER 43

AN ACT to Enable the Transfer of all Assets and Liabilities, Except Bonds and Notes, of the Lincoln Sanitary District to the Town of Lincoln and the Dissolution of the Lincoln Sanitary District.

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

Sec. 1. Town of Lincoln authorized to acquire property of Lincoln Sanitary District. The Town of Lincoln is authorized, under the terms contained in this Act, to acquire all, but not less than all, of the plant, properties, assets, franchises, rights and privileges owned by the Lincoln Sanitary District, including without limitation, all lands, buildings, waters, water rights, springs, wells, reservoirs, tanks, standpipes, mains, pumps, pipes, machinery, fixtures, hydrants, meters, services, tools, equipment and appliances used or useful in supplying water for domestic, commercial, industrial and municipal purposes. The consideration to be paid therefor shall be the assumption by the Town of Lincoln of all of the debts and liabilities of the Lincoln Sanitary District, except bonds and notes of the district, that are due on or after the date of transfer.

Sec. 2. Lincoln Sanitary District required to convey property to the Town of Lincoln. The Lincoln Sanitary District, organized under the Maine Revised Statutes, Title 38, chapter 11, shall transfer and convey by appropriate instruments of conveyance all, but not less than all, of its plants, properties, assets, rights and privileges, including without limitation, all lands, buildings, water rights, springs, wells, reservoirs, tanks, standpipes, mains, pumps, pipes, machinery, fixtures, hydrants, meters, services, tools, equipment and appliances used or useful in supplying water for domestic, commercial, industrial and municipal purposes to the Town of Lincoln in consideration of the assumption by the Town of Lincoln of all of the debts and liabilities of the Lincoln Sanitary District, except bonds and notes of the district, that are due on or after the date of transfer.

Sec. 3. Transfer to occur following discharge of outstanding debts. The dissolution of the Lincoln Sanitary District and the transfer of the assets and liabilities of the sanitary district to the Town of Lincoln shall not take effect until all the outstanding indebtedness of the Lincoln Sanitary District has been discharged. The trustees of the Lincoln Sanitary District shall certify to the Secretary of State and the Board of Environmental Protection that the Lincoln Sanitary District is free from all outstanding indebtedness. Outstanding indebtedness is defined as bonds or notes for capital outlay purposes issued by the trustees pursuant to the Maine Revised Statutes, Title 38, chapter 11, the Maine Sanitary District Enabling Act, and all obligations due to the State or any of its several agencies, including, but not limited to, the