

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND NINTH LEGISLATURE

FIRST REGULAR SESSION

January 3, 1979 to June 15, 1979

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**PRIVATE AND
SPECIAL LAWS**
OF THE
STATE OF MAINE
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CHAPTER 11

H. P. 337 — L. D. 436

AN ACT Relating to the Fiscal Year of Hospital Administrative District No. 4 in Piscataquis, Somerset and Penobscot Counties.

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

Whereas, the Legislature, by Private and Special Law 1973 chapter 76 and as amended by Private and Special Law 1973, chapter 173, established enabling legislation for the creation of a Hospital Administrative District in Piscataquis, Somerset and Penobscot Counties; and

Whereas, the enabling legislation provides for a calendar fiscal year, and also for the filing of a report to the inhabitants of the district by January 31st of each year on the financial condition of the district; and

Whereas, the district is not able to prepare the required report within the 31 days allotted by the statute; 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:

P&SL 1973, c. 76, § 9, first sentence, is amended to read:

The fiscal year of the district shall ~~be the calendar year~~ **run from January 1, 1979 through September 30, 1979, and from October 1st through September 30th every year thereafter.**

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

Effective March 23, 1979

CHAPTER 12

H. P. 54 — L. D. 63

AN ACT Increasing Borrowing Capacity of Mars Hill Utility District and Extending the Time Which That District has to Take Over Mars Hill and Blaine Water Company.

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

Whereas, the private and special laws of 1957, chapter 143, section 11, provides that the Mars Hill Utility District may purchase or take the property of the Mars Hill and Blaine Water Company; and

Whereas, the borrowing capacity of this district is not presently sufficient to allow the trustees to purchase or to take that company; and

Whereas, the purchase or taking of that company is necessary to insure a continuing supply of pure and wholesome water for the inhabitants of this district and a continuing source of water for fire protection for the safety of the buildings within this district; 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 1957, c. 143 § 11, 1st & 2nd ¶¶ are amended to read:

Sec. 11. Procedure in case trustees fail to agree on terms of purchase. In case the trustees fail to agree with the Mars Hill and Blaine Water Company upon the terms of purchase of said properties ~~within 10 years and 6 months of the acceptance of this act by the voters of the town of Mars Hill acting as specified in the referendum to accept the provisions of this act before July 1, 1980,~~ said District, through its trustees aforesaid, is hereby authorized to take the plant, property and franchises of said company for public use by petition in the manner hereinafter specified.

Said district, through its trustees, is hereby authorized, ~~before the expiration of 11 years from the date of the acceptance of this act by the voters of the town of Mars Hill as specified herein January 1, 1981,~~ to file its petition if proceedings are necessary against said company, in the clerk's office of the Superior Court for the County of Aroostook ~~in term time or in vacation, addressed to any Justice of said Court. The Justice so named~~ **A Superior Court Justice** shall, at his discretion, appoint appraisers, under such conditions and charged with such powers and duties as he deems necessary, to examine the books, ledgers, documents, accounts, bank statements, names and addresses and schedules of ratepayers, property of said company, plans, specifications and drawings relating to the condition, fraction or location of said property and all manner of things which the court may deem necessary for a full understanding of the matter and for fixing a valuation of said plant, property and franchises.

Sec. 2. P&SL 1957, c. 143, § 12, 1st sentence, as last amended by P&SL 1969, c. 28, is further amended to read:

For accomplishing the purposes of this act, said district, through its trustees, is

authorized to borrow money temporarily in an amount not to exceed \$750,000 **\$1,500,000 outstanding at any one time** and to issue therefor the interest-bearing negotiable notes of the district and for the purpose of refunding the indebtedness so created, of paying any necessary expenses and liabilities incurred under the provisions of this act, including the expenses incurred in the creation of the district, in reimbursing said town, in acquiring the aforesaid properties, privileges and franchises of the Mars Hill and Blaine Water Company, its successors or assigns, by purchase or otherwise, or securing sources of supply, taking water and land, paying damages, laying pipes, constructing and maintaining and operating a water, sewerage and drainage system, sewage treatment and disposal facilities and making extensions, additions and improvements to the same, the said district through its trustees may from time to time issue bonds of the district to an amount necessary in the judgment of the trustees therefor, maturing at one time or in uniform or varying installments with or without call provisions and at or without any premium.

Sec. 3. P&SL 1957, c. 143, § 20, is amended to read:

Sec. 20. Provision for acquiring company void unless acted upon in due time. If said District shall fail to purchase or file its petition to take by eminent domain before ~~the expiration of 11 years after the acceptance of this act by the voters of the town of Mars Hill~~ **January 1, 1981**, the provisions for the purchase or taking by eminent domain shall become null and void.

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

Effective March 26, 1979

CHAPTER 13

H. P. 1119 — L. D. 1284

AN ACT to Provide Compensation and Benefits Agreed to by the State and the Maine Teachers' Association for Employees in the Bargaining Unit of Instructors at the Vocational-Technical Institutes and the School of Practical Nursing.

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

Whereas, the 90-day period may not terminate until after the beginning of the next fiscal year; and

Whereas, certain obligations and expenses incident to the operation of state collective bargaining agreements will become due and payable 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,