

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE

ONE HUNDRED AND TENTH LEGISLATURE

SECOND SPECIAL SESSION

September 25, 1981

AND

THIRD SPECIAL SESSION

December 9, 1981

AND

SECOND REGULAR SESSION

January 6, 1982 to April 13, 1982

AND AT THE

FOURTH SPECIAL SESSION

April 28, 1982 to April 29, 1982

AND AT THE

FIFTH SPECIAL SESSION

May 13, 1982

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

J.S. McCarthy Co.
Augusta, Maine
1981

**PRIVATE AND
SPECIAL LAWS**

OF THE

STATE OF MAINE

AS PASSED AT THE
SECOND REGULAR SESSION

and

FIFTH SPECIAL SESSION

of the

ONE HUNDRED AND TENTH LEGISLATURE

1981

Sec. 3. Effect of withdrawal.

1. Any employee of the town who withdraws his contribution or any person who begins employment after the effective date of withdrawal of the town from the system may not be a participant in the Maine State Retirement System as an employee of the Town of Freeport.

2. The Town of Freeport shall continue to be a local participating district for those former employees who are receiving retirement allowances or who are eligible for retirement benefits and all employees as of the effective date of withdrawal who have not withdrawn their contributions from the system. For the purposes of this subsection, those employees remaining in the system and the Town of Freeport are subject to the Revised Statutes, Title 5, chapter 101.

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

Effective March 22, 1982.

CHAPTER 91

H.P. 1976 - L.D. 1951

AN ACT to Revise the Lubec Water and Electric District Charter to Modify the Requirements for Issuance of Bonds.

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

Whereas, this charter amendment would require action in Lubec by the town meeting, which occurs in April; 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 P&SL 1951, c. 92, §11 is repealed and the following enacted in its place:

Sec. 11. Authorized to negotiate temporary loans; and to issue notes and bonds; declared a quasi-municipal corporation; notes and bonds legal investments for savings banks. For accomplishing the purposes of this Act, the district, through its trustees, is authorized to borrow money, as follows.

The district may issue bonds and notes, including revenue obligation securities as otherwise authorized by this charter, in such amounts as the Public Utilities Commission authorizes for the purpose of raising the amount required to accomplish the purposes of this charter. The bonds and notes may be of date and denomination and payable at such times and places and bear such rate of interest as the district may authorize in accordance with the procedures of this section. The district may borrow money temporarily, for periods of less than one year, without vote of the inhabitants except as provided in this charter in amounts which in the judgment of the trustees are necessary to accomplish the purposes of this charter.

In the event that the trustees vote to authorize bonds or notes, the estimated cost of which, singly or in the aggregate included in any one financing, is \$150,000 or more, adjusted, relative to 1981 as the base year according to the annual Consumer Price Index, as defined in the Revised Statutes, Title 5, section 1001, subsection 6-A, the trustees shall provide notice to the general public of the proposed bond or note issue and the purposes for which the debt is being issued. The notice shall be published at least once in a newspaper having general circulation in the district. The trustees shall give notice to each ratepayer by mail.

No debt may be incurred under the vote of the trustees until the expiration of 7 full days following the date on which the notice was first published and mailed. Prior to the expiration of the period, the trustees shall call a special district meeting for the purpose of permitting the collection of testimony from the public concerning the amount of debt so authorized.

Except for indebtedness to fund projects specifically mandated by the State Government and Federal Government, for debts in excess of the amount specified in this section, if requested by petition of not less than 50 voters of the district or 5% of the voters, whichever is greater, filed with the clerk of the district on or before the date of the meeting, the meeting shall express approval or disapproval of

the amount of debt so authorized. If a majority of voters present and voting expresses disapproval of the amount of debt authorized by the trustees, the debt shall not be incurred and the vote of the trustees authorizing it shall be void and of no effect.

Any notes or bonds issued pursuant to this section shall be senior to any indebtedness created under section 2. The notes and bonds shall be legal obligations of the district, which is hereby declared to be a quasi-municipal corporation as defined in the Revised Statutes, Title 30, section 2250 for all purposes, including the requirements of the Revised Statutes, Title 30, section 5053. The notes and bonds shall be legal investments for savings banks and exempt from taxation.

Sec. 2. Local referendum for town of Lubec; meeting, how called; form of ballot; certificate to Secretary of State. This Act shall take effect for all purposes when approved by a majority of the legal voters of the Town of Lubec present and voting for or against the acceptance of the revision to the charter at the next annual town meeting after this Act shall become a law, but if and only if the total number of votes cast for and against the acceptance of this Act in that election equals or exceeds 20% of the total vote for all candidates for Governor cast in Lubec at the previous gubernatorial election. The election shall be called, advertized and conducted according to law relating to municipal elections, provided, however, that the board of registration in the Town of Lubec 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 shall be in session the 3 secular days preceding such election, the first 2 days thereof to be devoted to registration of voters and the last day to enable the board to verify the corrections of the lists and to complete and close up their records of those sessions. The town clerk shall reduce the subject of this Act to the following question:

"Shall the Act to revise the Lubec Water and Electric District Charter to Modify the Requirements for Issuance of Bonds be accepted?"

The voters shall indicate by a cross placed against the words "Yes" or "No" their opinion of the same. A check list shall be used at the election. The result shall be declared by the municipal officers and due certificate thereof filed with the Secretary of State by the clerk of the town.

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

far as necessary to empower the calling and holding of the special election authorized in section 2.

Effective pending referendum, unless otherwise indicated.

CHAPTER 92

H.P. 2151 - L.D. 2054

AN ACT to Amend Charters of Various
Water Districts Organized Under the
Private and Special Laws Including
Milbridge and Strong.

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

Sec. 1. P&SL 1913, c. 25, §6, 2nd ¶ is repealed and the following enacted in its place:

Each member shall receive compensation as established in accordance with the Revised Statutes, Title 35, section 3223.

Sec. 2. P&SL 1981, c. 55, §6, 1st sentence is amended to read:

All of the affairs of the district shall be managed by a board of 3 5 trustees who shall be chosen as hereinafter provided.

Sec. 3. P&SL 1981, c. 55, §6, 2nd ¶, 1st and 2nd sentences are amended to read:

As soon as may be after the acceptance of this Act as hereinafter provided, the municipal officers of Milbridge shall appoint 3 5 trustees of the district to hold office as follows: ~~One~~ Two to serve until the first annual election of municipal officers following the acceptance of this Act; ~~one~~ 2 to serve until the 2nd annual election of municipal officers following the acceptance; and one to serve until the 3rd annual election of municipal officers following such acceptance. At each annual election of municipal officers, beginning with the first annual election of municipal officers after the acceptance of this Act, as their terms