

# MAINE STATE LEGISLATURE

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**LAWS**  
OF THE  
**STATE OF MAINE**

AS PASSED BY THE  
ONE HUNDRED AND ELEVENTH LEGISLATURE

**FIRST REGULAR SESSION**  
December 1, 1982 to June 24, 1983  
Chapters 453-End

AND AT THE  
**FIRST SPECIAL SESSION**  
September 6, 1983 to September 7, 1983  
Chapters 583-588

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

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J.S. McCarthy Co., Inc.  
Augusta, Maine  
1983

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**PRIVATE AND  
SPECIAL LAWS**

OF THE

**STATE OF MAINE**

AS PASSED AT THE  
FIRST REGULAR SESSION  
and  
FIRST SPECIAL SESSION  
of the  
ONE HUNDRED AND ELEVENTH LEGISLATURE  
1983

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

Sec. 1. P&SL, 1971, c. 45, §10, 2nd¶, is amended by adding at the end a new sentence to read:

These rules and regulations may incorporate industrial pretreatment requirements including, without limitation, reporting, monitoring and other requirements imposed on the district by federal or state law or regulations.

Sec. 2. P&SL, 1971, c. 45, §10, 3rd¶, is amended to read:

The trustees may require industrial pretreatment of wastes discharged into its sewage treatment or into any system connecting with it ~~if~~ the trustees determine such wastes may interfere with or cause damage to its sewage treatment.

Sec. 3. P&SL 1971, c. 45, §12 is repealed and the following enacted in its place:

Sec. 12. Injury to property of district. Any person who shall place, discharge or leave any offensive or injurious matter or material on or in the conduits, catch basins or receptacles of the district contrary to its regulations, or shall knowingly injure any conduit, pipe, reservoir, flush tank, catch basin, manhole, outlet, engine, pump or other property held, owned or used by the district shall be liable to pay twice the amount of the damages to the district, to be recovered in any proper action; and that person and any person who violates section 10 is guilty of a Class E crime.

Effective September 23, 1983.

## CHAPTER 19

H.P. 898 - L.D. 1150

### AN ACT to Amend and Supplement Certain Powers of Hospital Administrative District No. 1.

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

Whereas, there is an immediate need for Hospital Administrative District No. 1, the "district," a body

politic and corporate established pursuant to Private and Special Law 1967, chapter 58, to be able to borrow moneys for operating expenses, in order to ensure the continuous provision of medical care for the inhabitants of the district; and

Whereas, it is in the best interest of the inhabitants of the district to immediately permit the district to legally establish affiliated organizations to engage in other activities deemed by the district necessary or desirable to improve provisions for the health and medical needs of the inhabitants of the 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 1967, c. 58, §2, 6th ¶, first sentence is amended to read:

Each member of the board of directors may be paid \$8 a fee for each official meeting of the board that he attends, and no director shall may be employed by the hospital district.

Sec. 2. P&SL 1967, c. 58, §4-A is enacted to read:

Sec. 4-A. Referendum on capital expenditures in excess of certificate of need dollar threshold. When the directors shall have authorized the filing of an application for a certificate of need with respect to a capital expenditure in excess of the dollar threshold set forth in the Revised Statutes, Title 22, section 304-A, subsection 3, an attested copy of the vote of the directors shall be forthwith filed with the municipal officers of each of the towns within the district and published in a newspaper having a circulation in the district, not later than 10 days following the day on which the vote was adopted by the directors, together with a statement indicating that the vote will become effective, unless before the expiration of 30 days from the date on which a copy of the vote was first published, the president or the secretary of the board of directors shall have received a petition signed by at least 10% of the residents in the district eligible to vote on the date the directors' vote was adopted, requesting that the question of whether the proposed application should be filed by the district be submitted to the voters of the district. The statement shall state

the name and address of the president and secretary of the board of directors. A vote of the directors authorizing the filing of a certificate of need application under this Act shall not become effective before the expiration of 30 days from the date upon which the vote and statement are published. If within that period, a petition, signed by at least 10% of the residents in the district eligible to vote on the date that the filing of the certificate of need application by the directors was adopted as shown by the district's voting list, shall be filed with the president or the secretary of the board of directors, asking that the question of whether the application proposed to be filed be submitted to the voters of the district, the vote of the directors shall be further suspended from becoming effective and the directors shall immediately reconsider that vote. If the vote is not rescinded by the directors, the question of whether that application shall be filed shall be submitted by the directors to the voters of the district at a special meeting of the qualified voters in the district to be held in the district within 60 days of the receipt of the petition described in this section. The special meeting shall be called and held as provided in section 10, except that the notice shall set forth the vote of the directors authorizing the filing of the certificate of need application, the approval or disapproval of which is to be submitted to the voters of the district, together with the proposed form of the ballot to be used at that special meeting. At the special meeting, a vote on the question of whether that application shall be filed shall be voted on by ballot, the form of which shall be substantially as follows.

OFFICIAL BALLOT

HOSPITAL ADMINISTRATIVE DISTRICT NO. 1

Shall Hospital Administrative District No. 1 file a certificate of need application proposing a capital expenditure not to exceed the amount of \$ \_\_\_\_\_ for the following purposes, viz:

(Insert brief description of purpose of the intended project and the expenditure of moneys necessary to complete the project)?

If in favor of the application issue, make a cross (X) or (✓) in this square.....Yes

If opposed to the application issue, make a cross (X) or (✓) in this square.....No

If a majority of the qualified voters voting at the meeting approve the filing of the certificate of need application, the vote of the directors authorizing the filing shall become effective; if not so approved, the vote shall be void. The voters quali-

fied to vote at the special meeting shall be determined by use of the district voting list.

Sec. 3. P&SL 1967, c. 58, §6, 2nd and 3rd sentences from the end, as repealed and replaced by P&SL 1973, c. 201, §3, are amended to read:

Such temporary notes of the district may be issued for a period of not more than ~~one year~~ 2 years and any such temporary notes may be renewed from time to time by the issue of other temporary notes, provided that the period from the date of issue of the original note to the date of maturity of the last renewal thereof shall not be more than ~~one year~~ 2 years. Notes in anticipation of revenue which are not paid at the end of ~~one year~~ 2 years may be renewed for an additional year and there shall be included in that year's budget as an expenditure an amount sufficient to pay ~~said~~ these notes, which amounts shall be assessed and collected as provided in section 9.

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

Effective April 1, 1983.

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## CHAPTER 20

H.P. 488 - L.D. 585

AN ACT to Authorize a Self-liquidating  
Bond Issue for Lincoln County for  
Renovation of and Addition to the  
Lincoln County Jail and Public Safety  
Facility.

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

Whereas, Lincoln County has an immediate need to begin construction on the county jail project; and

Whereas, undue delay in beginning construction will increase the cost of the project to the taxpayers by 20%; and

Whereas, immediate authorization for the bond issue will prevent the unnecessary cost increase; and

Whereas, in the judgment of the Legislature,