

# MAINE STATE LEGISLATURE

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

AS PASSED BY THE  
ONE HUNDRED AND ELEVENTH LEGISLATURE

**SECOND SPECIAL SESSION**

November 18, 1983

AND AT THE

**SECOND REGULAR SESSION**

January 4, 1984 to April 25, 1984

AND AT THE

**THIRD SPECIAL SESSION**

September 4, 1984 to September 11, 1984

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  
1986

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**PRIVATE AND  
SPECIAL LAWS**

OF THE

**STATE OF MAINE**

AS PASSED AT THE

SECOND REGULAR SESSION

of the

ONE HUNDRED AND ELEVENTH LEGISLATURE

1983

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the Second Regular Session of the 111th Legislature for the sole purpose of permitting its submission to the legal voters within the district at an election to be called for that purpose and to be held within 6 months of the effective date of this Act. The election shall be called, advertised and conducted according to the law relating to municipal elections, provided that the registrar of voters shall not be required to prepare or the clerk to post a new list of voters, and for this purpose the registrar of voters shall be in session the 3 secular days preceding the election, of which the first 2 days will be devoted to registration of the voters and the last day to enable the registrar to verify the lists and to complete the records of these sessions. The subject matter of this Act shall be reduced to the following question:

"Shall the Wiscasset Water District be created?"

The voters shall indicate by a cross or check mark placed against the words "Yes" or "No" their opinion of the same.

The results shall be declared by the municipal officers of the Town of Wiscasset and the due certificate thereof filed by the clerk with the Secretary of State.

This Act shall take effect for all the purposes thereof immediately upon its acceptance by a majority of the legal voters within the district voting at the special election. Failure of the approval by the necessary majority of voters at any such election shall not prevent a subsequent election or elections to be held for that purpose.

Effective pending referendum.

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## CHAPTER 83

H.P. 1614 - L.D. 2136

AN ACT to Amend the Charter of the  
Passamaquoddy Water District.

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

Whereas, the first annual meeting of the newly-formed Passamaquoddy Water District will be in April 1984; and

Whereas, some aspects of the district charter require clarification; and

Whereas, the district serves an essential purpose, namely, providing an adequate supply of pure water; 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 1983, c. 25, §§8, 9 and 10 are amended to read:

Sec. 8. Initial appointed trustees. Following acceptance of this Act, the Pleasant Point Passamaquoddy Reservation Tribal Council, with the advice and consent of the Governor of the Pleasant Point Passamaquoddy Reservation Tribal Council shall appoint a board of trustees comprised of 3 members, each a resident of the district. The sole function of these trustees shall be to set the necessary machinery in motion and assist in the election of the board of trustees, as set forth in section 9.

Sec. 9. Board of trustees; election; vacancy. All the affairs of the district shall be managed by a board of trustees comprised of 5 members of which 3 members, each a resident of the district, shall be elected by Australian ballot at a special district meeting, as soon as possible, following the acceptance of this Act. Additionally, one trustee shall be elected from the City of Eastport and one trustee shall be elected from the Town of Perry, following the procedures for municipal elections, ~~except that,~~ in the event no one volunteers to run for. In the event no one is elected to the office of trustee in either of these municipalities, the municipal officers shall appoint a trustee to serve for a normal term. In the event no one is elected to any position as trustee as a resident of the district, the Pleasant Point Passamaquoddy Reservation Tribal Council, with the advice and consent of the Governor of the

Pleasant Point Passamaquoddy Reservation, shall appoint a trustee or trustees to serve for a normal term.

The terms of the members of the board shall be as follows: One elected member and one appointed member shall serve for one year from date of the first election following acceptance of this Act, 2 members, one elected and one appointed shall serve for 2 years from the date of the first election following the acceptance, the 3rd elected member shall serve for 3 years from the date of the first election following the acceptance. Following the expiration of each of the terms of the first elected and appointed trustees of the district, their successors shall be elected or appointed for 3-year terms. All trustees shall serve until their successors are elected, appointed and qualified. Trustees shall be eligible for reelection and reappointment.

The terms of the trustees shall be 3 years, expiring on the Sunday before the first Monday in April, except that the terms of the initial trustees shall expire one year, 2 years or 3 years from the first Monday in April following their election or appointment. At the first meeting of the full board of trustees, the terms of the initial trustees shall be selected by lot: From the district, one for a one-year term; one for a 2-year term; and one for a 3-year term; and, from Perry and Eastport, one for a one-year term and one for a 2-year term. All trustees shall serve until their successors are elected, appointed and qualified. Trustees shall be eligible for reelection and reappointment. At each annual meeting, the board shall prepare a list of the trustees with the expiration date of their terms and a request to hold elections within the year to fill any expiring terms and send the list by certified or registered mail to the Pleasant Point Reservation of the Passamaquoddy Tribe, the City of Eastport and the Town of Perry.

When any trustee ceases to be a resident in the district or in the municipality he represents, he vacates the office of trustee. Vacancies in the office of elected trustees shall be filled by special district election, except that a vacancy occurring within 6 months one year of the expiration of an elected a trustee's term of office may be filled by appointment of a successor residing in the district to serve the unexpired portion of the term in which the vacancy occurred. Vacancies in elected trustees shall be filled by the same procedure as specified in

section 8. Appointments ~~in~~ to the office of appointed trustee, where a vacancy occurs, shall be made by the respective municipal officers or, for the Tribe, using the procedure of section 8.

Within one week after the annual meeting of the district, the trustees shall elect from among themselves a chairman, treasurer and clerk to serve for the ensuing year and until their successors are elected and qualified. The trustees, from time to time, may choose and employ and fix the compensation of any other necessary officers and agents who shall serve at their pleasure. The treasurer shall furnish bond in the sum and which surety is with such sureties as approved by the trustees. The cost of the bond shall be paid by the district. At its original meeting the trustees shall, in addition to the foregoing, adopt a corporate seal, and elect a treasurer who may or may not be a trustee. The trustees may adopt and establish bylaws consistent with the laws of this State necessary for their own convenience and the proper management of the affairs of the district and perform any other acts within the powers delegated to them by law.

The trustees shall be sworn to the faithful performance of their duties, which shall include the duties of any member who serves as clerk or as clerk pro tem. The trustees shall make and publish an annual report, including therein a report of the treasurer. The trustees, ~~including the initial appointed trustees,~~ shall have the same powers and perform the same duties as otherwise exercised and performed by the selectmen or towns for the calling and holding of district elections and district meetings, and for the correction and preparation of lists of persons qualified to vote in the district. All meetings of the district shall be presided over by the chairman of the board of trustees, who shall have the same authority as moderators of town meetings. District meetings shall be conducted in the same manner as town meetings.

Members of the board of trustees shall be eligible for any office under the board. All of the trustees shall receive compensation as recommended by them and approved by a majority of the Pleasant Point Passamaquoddy Tribal Council. Certification of the compensation shall be recorded with the office of the Secretary of State and recorded in the bylaws of the district. The respective compensation for duties as trustees shall be on the basis of such specified amount as may be specified in the bylaws, for each

meeting actually attended, and reimbursement for travel and expenses, with the total not to exceed such specific amount as may be specified in the by-laws.

Sec. 10. Annual meeting of the district. After the acceptance of this Act, and the organization of the board of trustees as provided in this Act, the annual meeting of the district ~~for the election of trustees~~ shall be held on the first Monday of each April, at such hour and place as may be designated by resolution of the board of trustees as provided in the bylaws. Notice thereof shall be as provided in the Maine Revised Statutes Annotated for town meetings.

Sec. 2. Validation of election of district trustees. The Trustees of the Passamaquoddy Water District, elected by the voters within the Passamaquoddy Indian Reservation, the City of Eastport and the Town of Perry to serve as such, are hereby declared to be and have been duly elected and qualified for the respective terms for which each was elected. Certification shall be filed with the Secretary of State by the tribe, the city and the town, respectively.

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

Effective April 9, 1984.

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## CHAPTER 84

H.P. 1779 - L.D. 2344

AN ACT Amending the Charter of the  
Telephone Workers Credit Union of Maine.

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

P&SL 1921 c. 93, §3, as amended by P&SL 1983, c. 36, §1, is further amended to read:

Sec. 3. Shareholders and capital. The capital of a credit union shall be unlimited. No person, unless employed in the telephone business or employed by the corporation, and their immediate families, may