

# MAINE STATE LEGISLATURE

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

AS PASSED BY THE  
ONE HUNDRED AND TWELFTH LEGISLATURE

**SECOND REGULAR SESSION**  
January 8, 1986 to April 16, 1986

**SECOND SPECIAL SESSION**  
May 28, 1986 to May 30, 1986

AND AT THE

**THIRD SPECIAL SESSION**  
October 17, 1986

PUBLISHED BY THE DIRECTOR OF REVISOR OF STATUTES IN  
ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,  
TITLE 3, SECTION 163-A, SUBSECTION 4.

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

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

AS PASSED AT THE  
SECOND REGULAR SESSION  
of the  
ONE HUNDRED AND TWELFTH LEGISLATURE  
1985

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part of the jail which meets the requirements of section 3203-A, subsection 7, paragraph A. The court may order such a sentence to be served as a part of and with a period of probation, which shall be subject to such provisions of Title 17-A, section 1204 as the court may order and which shall be administered pursuant to Title 34, chapter 121, subchapter V-A. Revocation of probation shall be governed by the procedure contained in subsection 2.

Sec. 2. 30 MRSA §1121, sub-§4, as enacted by PL 1977, c. 431, §15, is amended to read:

4. Detention. "Detention" means the confining of a person an adult or juvenile held in lawful custody in a specially constructed or modified facility designed to insure continued custody and control. Detention may be confinement prior to trial or another hearing by a court or to serve court imposed sentences or dispositions and may be in a jail or lock-up.

Effective July 16, 1986.

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## CHAPTER 716

H.P. 1672 - L.D. 2357

### AN ACT to Fairly Apportion the Cost of Water System Extensions or Service Lines.

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

Whereas, all water departments and quasi-municipal water districts are required to invest in extensions to water mains and expansions to their water systems; and

Whereas, several water departments and quasi-municipal water districts are experiencing and will continue with growth to experience increasing financial hardship due to the present rules and regulations requiring major investments in extensions which result in an undue burden on all existing water customers; 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:

35 MRS A §72-A is enacted to read:

§72-A. Apportionment of costs for water main extensions or service lines

1. Investment. The governing body of a municipal water department or quasi-municipal water district may choose to make no investment in a water main extension or service line and may require persons requesting a water main extension or service line to advance to the department or district the full cost of construction, including associated appurtenances required solely as a result of the construction of the water main extension or service line and used solely for the operation of the main extension or service line. Apportionment of the costs among customers shall be determined by the commission by rule.

2. Definitions. For the purposes of this section, a water main extension is an extension of the pipeline, including associated appurtenances, from an existing water main to serve a previously unserved location or a location served by a seasonal main, and a service line is the pipeline including the meter and other appurtenances extending from a water main to the building or other premises served.

3. Assessments. The governing body of a municipal water department or quasi-municipal water district may assess the full cost of water main extensions on all property that abuts the water main in accordance with rules promulgated by the governing body. The owner of any property which is not hooked up to the water system may defer payment of the assessment until it is hooked up. The governing body by rule may exempt appropriate classes of property from the assessment and may provide for payment of an assessment over a period of time.

4. Review by elected local officials. If the governing body of the municipal water department or quasi-municipal water district is not an elected

body, any decision to make no investment under subsection 1 or to assess under subsection 3 must first be endorsed by the municipal officers of the municipality or municipalities involved, prior to filing with the commission.

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

Effective April 16, 1986.

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## CHAPTER 717

H.P. 1585 - L.D. 2232

AN ACT to Provide Appropriate Penalties for  
Violations of Milk Commission Statutes  
and to Provide for Administrative  
Enforcement.

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

Sec. 1. 7 MRSA §2951, sub-§4 is amended to read:

4. Dealer. "Dealer" means any person who purchases or receives milk for sale as the consignee or agent of a producer, or handles for sale, shipment, storage or processing within the State and shall include a producer-dealer and a sub-dealer, but shall not include a store other than an integrated operation.

Sec. 2. 7 MRSA §2951, sub-§4-A is enacted to read:

4-A. Integrated operation. "Integrated operation" means a person who is a dealer and who also sells at retail the milk which he handles for sale, shipment, storage or processing within the State.

Sec. 3. 7 MRSA §2954-C is enacted to read:

§2954-C. Applicability to integrated operation

The provisions of this chapter which apply to dealers, including, but not limited to, the provisions of section 2956, shall apply to the dealer