

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.

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

**PRIVATE AND
SPECIAL LAWS**

OF THE

STATE OF MAINE

AS PASSED AT THE

SECOND REGULAR SESSION

of the

ONE HUNDRED AND TWELFTH LEGISLATURE

1985

5. Contingency reserve fund allowance. To provide for a contingency reserve fund allowance by providing rates to reflect up to a 5% addition to yearly revenues over what is required to operate the water company. If this allowance results in an excessive surplus, rates may be set which use the excess to offset future revenue requirements or returned to the customer in accordance with the rules of the Public Utilities Commission.

Sec. 16. Existing statutes not affected; rights conferred subject to provisions of law. Nothing contained in this Act is intended to repeal, or may be construed as repealing, the whole or any part of any existing law, and all the rights and duties mentioned in this Act shall be exercised and performed in accordance with all the applicable provisions of the Maine Revised Statutes, Title 35, and all acts amendatory thereof and additional thereto, to the extent that the Maine Revised Statutes, Title 35 and the amendments thereto affect the operations of the district.

Sec. 17. Act void unless property and franchise of Cornish Water Company is acquired. If the district, pursuant to the provisions of this Act, shall fail to purchase or file its petition to take by eminent domain, as provided in section 7, within one year from the date of the first meeting of the board of trustees, the plant, properties, franchises, rights and privileges owned by Cornish Water Company and used or usable in supplying water to a part of the Town of Cornish, then this Act shall be inoperative, null and void.

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

Effective April 3, 1986.

CHAPTER 101

S.P. 833 - L.D. 2115

AN ACT to Deorganize Plantation 14.

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

Whereas, the voters of Plantation 14 desire to deorganize as soon as possible; and

Whereas, the voters feel it necessary to implement this change at the next meeting of the plantation to deorganize; and

Whereas, the deorganization cannot be accomplished until the provisions of this Act take effect; 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. Deorganization of Plantation 14. Plantation 14 in Washington County is deorganized, provided that the corporate existence, powers, duties and liabilities of the plantation shall survive for the purposes of prosecuting and defending all pending suits to which the plantation is, or may be, a party and all needful process growing out of the same, including provisions for the payment of all or any judgments or debts which may be rendered against the plantation or exist in favor of any creditor.

Sec. 2. Unexpended school funds. The treasurer of the plantation or such other person as may have custody of the funds of the plantation shall pay to the Treasurer of State all unexpended school funds, which, together with the credits due the plantation for school purposes, are to be used by the State Tax Assessor to settle any school obligations contracted by the plantation previous to deorganization. Any unexpended school funds remaining with the Treasurer of State after all the obligations have been met shall be added to the Unorganized Territory School and Capital Working Funds, as provided in the Maine Revised Statutes, Title 20-A, section 3351.

Sec. 3. Referendum; certificate to Secretary of State. The board of assessors of the plantation shall submit this Act to the legal voters, within the territory embraced within the limits of Plantation 14, by ballot at a special election to be held on or before April 30, 1986. This election shall be

called, advertised and conducted according to the Maine Revised Statutes, Title 30, sections 2061 and 2065. The plantation clerk shall prepare the required ballots, on which he shall reduce the subject matter of this Act to the following question:

"Shall Plantation 14 be deorganized?"

The voters shall indicate by a cross or check mark placed against the word "Yes" or "No" their opinion of the same. The Act shall be approved by a majority of the legal voters voting at the special election, provided that the total number of votes cast for and against the acceptance of this Act at the election equaled or exceeded 50% of the total number of votes cast in the plantation for Governor at the last gubernatorial election.

The result of the vote shall be declared by the board of assessors of Plantation 14 and due certificate shall be filed by the plantation clerk with the Secretary of State within 10 days from the date of that vote.

Emergency clause. In view of the emergency cited in the preamble, section 3 of this Act shall take effect when approved. Sections 1 and 2 of this Act shall take effect on April 30, 1986, if approved by a majority of the legal voters at the special election.

Effective pending referendum.

CHAPTER 102

H.P. 1602 - L.D. 2256

AN ACT to Amend the Charter of the Brunswick Sewer District.

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 Law of 1981, chapter 103; amended and revised the Private and Special Law of 1947, chapter 77, incorporating the Brunswick Sewer District; and

Whereas, the Private and Special Law of 1981, chapter 103, section 31, subsection 4, as revised and amended provides as follows: