

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

	<u>1985-86</u>	<u>1986-87</u>
technical and clerical support to the Board of Underground Oil Storage Tank In- stallers.		
DEPARTMENT OF ENVIRONMENTAL PROTECTION TOTAL	\$39,705	\$ 75,936
TOTAL ALLOCATIONS	\$39,705	\$104,536

Sec.2. Report on recovery of costs. The Department of Environmental Protection shall report to the joint standing committee of the Legislature having jurisdiction over natural resources on progress in recovering damages and clean-up costs from those persons causing underground oil pollution problems. The role of the Assistant Attorney General assigned to this purpose shall be presented. The department shall make the report on or before March 1, 1987.

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

Effective April 11, 1986.

CHAPTER 104

S.P. 720 - L.D. 1843

AN ACT to Amend the Charter of the Lucerne-in-Maine Village Corporation.

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

Whereas, neither the provisions of Private and Special Law 1927, chapter 43, Charter of Lucerne-in-Maine Village Corporation, as amended, nor the Maine Revised Statutes, Title 38, section 1304-B, subsection 4, specifically authorizes the village to enter into long-term contracts for solid waste disposal; and

Whereas, the village wishes to consider the opportunity of entering into long-term contracts for

its solid waste disposal with Penobscot Energy Recovery Company or another private company; and

Whereas, the village must adopt any such contract as soon as practicable in order to participate in a proposed waste incinerator project at a beneficial tipping fee; 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 1927, c. 43, §2, first sentence, as amended by P&SL 1937, c. 96, is further amended to read:

Said corporation is hereby authorized and vested with the power at any legal meeting called for the purpose to raise money for the following purposes, namely: To create and maintain a fire department with all necessary equipment, appliances and apparatus for the prevention and extinguishment of fires; to build, repair and maintain roads, streets, ways and bridges, sidewalks, sewers and other sanitary works, including the collection and removal of offal, garbage and other waste material; and for those purposes to contract with any individual, firm or corporation, on a long-term basis of up to 30 years for each contract or renewals of the contract, to dispose of the inhabitants' solid waste; to care for and beautify any portion of the corporate territory which has been or may hereafter be reserved for and dedicated to public uses to be enjoyed in common by all the owners of estates in said territory and to that end to build roads and walks upon and through said common lands and in general to beautify same; to build, repair and maintain wharves, landings and bathing beaches; to build and maintain golf courses, tennis courts and grounds for all other athletic sports for use in common by all owners of real estate within the boundaries of said corporate territory; to establish and maintain police and night watch; to procure water for fire, domestic and other purposes and to produce or procure light for public use and for the use of the inhabitants of said territory, and for such purposes to contract with any individual, firm or corporation to furnish such water or light for either or both of the purposes named and to establish reasonable rates

subject to approval by the public utilities commission, to be paid by the inhabitants of said territory using such water or light for domestic purposes, if produced by said corporation herein created; to construct, maintain and operate telephone and telegraph lines or to aid in such construction, maintenance and operation and to that end and for that purpose to contract with any corporation, firm or individual therefor; to purchase ice, coal, wood, lumber, teams and other necessary supplies and equipment and employ labor, and to sell such supplies and furnish such teams and labor for hire to the members of the village corporation or residents in said territory; to license entertainments of a character not forbidden by law, and to forbid the same when, in the judgment of the overseers, such entertainment is a nuisance or is immoral; to make and enforce rules and regulations for the maintenance of order, and the protection of corporate property; to defray any and all other necessary or proper corporate charges; to defray the expense of such agents as the overseers of the village corporation may employ as necessary to carry out the provisions of this section; to purchase and hold the shares of the capital stock of Lucerne-in-Maine Village Improvement Corporation; and to do all things and transact and carry on all other kinds of business, incidental, ancillary, related, pertaining, necessary or proper to or connected with any one or all of the purposes and kinds of business hereinbefore mentioned.

Sec. 2. Referendum; acceptance of amendment. This amendment to the charter of the Lucerne-in-Maine Village Corporation shall only be accepted if voted on at the regular 1986 summer meeting of the corporation. Its rejection at that meeting shall constitute a final rejection.

This Act shall be submitted to the legal voters of the regular summer meeting of the corporation, provided that the warrant calling the meeting contains an appropriate article for that purpose. The meeting shall be called and conducted according to the law governing meetings of the corporation, except voting on the article relating to this Act shall be accomplished by written ballot and voting by proxy shall not be allowed on this article, but voting by absentee ballot in the form and manner prescribed by law for municipal elections shall be allowed.

The overseers shall prepare ballots upon which shall be the question:

"Do you favor amending the Lucerne-in-Maine Village Corporation charter, as proposed by the Legislature, to allow the corporation to contract with firms for up to 30 years for the disposition of inhabitants' solid waste?"

If this Act is accepted by a majority of the legal voters voting at such a meeting in person or by absentee ballots and the total number of votes cast equals or exceeds 50% of the total number of votes cast in the last regular election of overseers, this Act shall take effect.

The result of the vote taken at the meeting shall be declared in open meeting by the overseers and a certificate of the result of the meeting shall be filed by the clerk with the Secretary of State.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved by the Governor so far as to authorize the voting on this amendment at the regular summer 1986 corporation meeting. If this amendment is accepted by a majority of the voters of the corporation at this legally constituted meeting, the amendment shall take and have complete effect in all its parts.

Effective pending referendum.

CHAPTER 105

H.P. 1629 - L.D. 2302

AN ACT to Authorize Piscataquis County to Raise Up to \$2,400,000 for Renovation and Expansion of Jail Facilities.

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

Sec. 1. To raise money for renovation and expansion of jail facilities. The county commissioners of the County of Piscataquis are authorized to raise and expend a sum not to exceed \$2,400,000 for renovation and expansion of the county jail facility located in Dover-Foxcroft.

Sec. 2. Aid from other sources. The county commissioners of the County of Piscataquis are authorized to borrow any portion of the sums herein authorized from or through any agency or department of the