

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND THIRTEENTH LEGISLATURE

AS PUBLIC LAWS AND CONSTITUTIONAL RESOLUTIONS

at the

THIRD SPECIAL SESSION

September 15, 1988 to September 16, 1988

and the

FOURTH SPECIAL SESSION

November 28, 1988

AND

AS PRIVATE AND SPECIAL LAWS AND RESOLVES

at the

FIRST REGULAR SESSION

December 3, 1986 to June 30, 1987

FIRST SPECIAL SESSION

October 9, 1987 to October 10, 1987

SECOND SPECIAL SESSION

October 21, 1987 to November 20, 1987

SECOND REGULAR SESSION

January 6, 1988 to May 5, 1988

THIRD SPECIAL SESSION

September 15, 1988 to September 16, 1988

and the

FOURTH SPECIAL SESSION

November 28, 1988

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

Twin City Printery
Lewiston, Maine
1989

**PRIVATE AND
SPECIAL LAWS**

OF THE

STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

of the

ONE HUNDRED AND THIRTEENTH LEGISLATURE

1987

The district may enter into agreements with the Federal Government or State Government, or any agency of either, or any corporation or board authorized by the Federal Government or State Government to loan money or otherwise assist in the financing of such projects as the district is authorized to carry out, as may be necessary or desirable to accomplish the purposes of this Act.

Sec. 4. P&SL 1951, c. 57, §5 is repealed.

Sec. 5. P&SL 1951, c. 57, §6, is repealed and the following enacted in its place:

Sec. 6. Assessments authorized to meet indebtedness and necessary expenditures. The trustees of the Town of York School District shall determine what sum is required each year to meet the interest and principal payments on the bonds, notes and other evidences of indebtedness of the district. On or before December 1st of the prior fiscal year or as soon thereafter as possible, the trustees shall certify the sum so determined to the school committee and municipal officers of the Town of York who shall include such sums in the school budget of the Town of York. The municipal officers shall require such sum to be assessed and collected in the manner provided by law for the assessment and collection of taxes provided that the sum to be assessed and collected shall be reduced by the amount of an allocation of funds appropriated by the Legislature to pay the principal and interest owed by the district in a given year as certified to the Town of York by the Commissioner of Educational and Cultural Services. The commissioner shall certify the amount due to the Town of York within 30 days of its appropriation by the Legislature. After this reduction, the remaining sum shall be payable from ad valorem taxes which may be levied without limit as to rate or amount upon all the taxable property within the Town of York. The assessors of the Town of York shall assess the sum so determined upon the taxable estates within the town and shall commit their assessment to the constable or collector of the Town of York, who shall have all authority and power to collect such sum as is vested in them by law to collect state, county and municipal taxes. The school committee, superintendent of schools and municipal officers of the Town of York shall take all actions necessary to enable the treasurer of the Town of York to pay to the treasurer of the district all sums necessary to meet the payments of interest and principal on bonds, notes and other evidences of indebtedness of the district when due. The treasurer of the Town of York shall pay the required sum to the treasurer of the district at least 5 days before each payment of interest and principal is due from the district.

The trustees of the Town of York School District shall also determine what sum is required each year to meet other necessary expenses of the district that year. On or before December 1st of the prior fiscal year or as soon thereafter as possible, the trustees shall certify the sum so determined to the school committee and municipal officers of the Town of York who shall include such sum in the school budget of the Town of York. The assessors

of the Town of York shall assess the sum which the legislative body votes to raise and appropriate for the other necessary expenses of the district upon the taxable estates within the town and shall commit their assessment for this purpose to the constable or collector of the Town of York, who shall have all authority and power to collect such sum as is vested in them by law to collect state, county and municipal taxes. The school committee, superintendent of schools and municipal officers of the Town of York shall take all actions necessary to enable the treasurer of the town to pay, and the treasurer of the town shall pay, such sum to the treasurer of the district on or before December 31st each year, or on the date requested by the treasurer of the district, whichever is earlier.

If the treasurer of the Town of York fails to pay to the district any amount due on the date required, the treasurer of the district may issue a warrant for the unpaid amount to the sheriff of York County, requiring him to levy by distress and sale on the real and personal property of any of the inhabitants of the district. The sheriff or sheriff's deputies shall execute the warrant. Except as is otherwise provided in this section, the trustees shall have the same power as county officials for the collection of county taxes under the Maine Revised Statutes, Title 36, chapter 105, subchapter 9.

Sec. 6. Emergency clause; referendum; effective date. In view of the emergency cited in the preamble, this Act shall take effect when approved, only for the purpose of its submission to the legal voters of the Town of York at any regular or special meeting called and held for the purpose not later than 18 months after the approval of this Act. In the event a special election is called for the purpose, it shall be called, advertised and conducted according to the law relating to municipal elections. The town clerk shall prepare the required ballots on which he shall state the subject matter of this Act in the following question:

“Shall the Act relating to the Town of York School District be accepted?”

The voters shall indicate by a cross or a check mark placed against the words “Yes” or “No” their opinion of the same. This Act shall take effect for all the purposes hereof immediately upon its acceptance by a majority vote of the legal voters voting at the election; provided that the total number of votes cast for and against the acceptance of this Act at the election equals or exceeds 20% of the total votes for all candidates for Governor in the town at the next previous gubernatorial election. The result in the district shall be declared by the municipal officers of the Town of York and due certificate filed by the town clerk with the Secretary of State.

Effective pending referendum.

CHAPTER 26

H.P. 530 — L.D. 714

AN ACT to Allow the Maine Maritime Academy to Award an Associate of Science Degree.

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

Maine Maritime Academy; Associate degree. The Maine Maritime Academy, as established by Private and Special Law 1941, chapter 37, shall have the power to confer the degree of Associate of Science as is usually conferred by like institutions.

Effective September 29, 1987.

CHAPTER 27

S.P. 328 — L.D. 956

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

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

P&SL 1915, c. 197, §13, as amended by P&SL 1955, c. 203, is further amended by adding at the end a new sentence to read:

The district shall make an annual payment to the Town of Woolwich of \$2,500.

Effective September 29, 1987.

CHAPTER 28

H.P. 890 — L.D. 1191

AN ACT to Ensure Timely Adoption of Revised Solid Waste Rules.

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

Whereas, pursuant to Private and Special Law 1985, c. 137, the Legislature has conducted a study of the solid waste management and disposal policies of the State; and

Whereas, pursuant to Public Law 1985, c. 822, the Legislature imposed a moratorium on the licensing of new or expanded commercial landfill facilities; and

Whereas, the landfill moratorium will end 91 days after the adjournment of the First Regular Session of the 113th Legislature; and

Whereas, the study committee has found that certain desirable changes in the solid waste rules of the Department of Environmental Protection regarding the categor-

ization of special wastes, including asbestos and incinerator ash; the siting, design, construction and operation of solid waste landfills; the establishment of financial guarantees for closure and post-closure care; and the storage and disposal of inert fill can be accomplished under the department's existing statutory authority if the department is given sufficient financial resources for the task; and

Whereas, the department does not currently possess the financial resources to complete the desired revisions prior to the expiration of the moratorium; and

Whereas, the result will be contrary to the intent of the Legislature when it enacted the moratorium; and

Whereas, the appropriation provided by this Act for facilitating the rule-making process will not become available until the moratorium expires unless enacted as an emergency measure; 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. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Act.

1986-87

ENVIRONMENTAL PROTECTION, DEPARTMENT OF

Bureau of Land Quality Control

All Other \$25,000

Provides funds to retain a consultant for the purpose of revising the solid waste management rules in the areas of facility siting, design, construction and operation; the categorization of special wastes, including asbestos and incinerator ash; the establishment of financial guarantees for closure and post-closure care; the storage and disposal of inert fill and other areas as appropriate.

Sec. 2. Carrying clause. Funds appropriated for this purpose shall carry forward to fiscal year 1987-88.

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

Effective May 22, 1987.

CHAPTER 29

H.P. 399 — L.D. 533