

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
SECOND REGULAR SESSION

of the

ONE HUNDRED AND THIRTEENTH LEGISLATURE

1987

ence of the United Methodist Church. The certification shall state the date of the acceptance and shall be prima facie evidence of acceptance. The Secretary of State shall immediately transmit certified copies of the certification of acceptance to the Secretary of the Senate and the Clerk of the House of Representatives.

Effective August 4, 1988, unless otherwise indicated.

CHAPTER 97

H.P. 1724 — L.D. 2367

AN ACT to Amend the Charter of the Portland 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 existing charter of the Portland Water District provides for the election of trustees to be held usually on the 4th Tuesday of May; and

Whereas, the Town of Cape Elizabeth conducts its municipal election during the month of May; and

Whereas, the statewide primary is conducted on the 2nd Tuesday in June, and if the date the district election is not changed, it will be necessary to conduct 3 elections in the Town of Cape Elizabeth within a 6-week period; and

Whereas, the trustee who represents the Town of Cape Elizabeth also represents the Town of Gorham and it would be inappropriate for the district election from the area to be coterminous with the municipal election of the Town of Cape Elizabeth; 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 1907, c. 433, §18, 2nd ¶, as amended by P&SL 1981, c. 10, §1, is repealed and the following enacted in its place:

Trustees shall be elected for the term of 5 years at elections to be specially called and held in each municipality on the 4th Tuesday of May of each year or as hereinafter described. When there is a trustee to be elected by the voters of the Cities of Portland or South Portland, or both, and when either city is holding its own election of municipal officers in May, the election of the trustee to represent each city shall be held concurrently with the municipal election, and the city and the district shall

equally share the cost of that municipal election. When there is a trustee to be elected to represent 2 or more municipalities and there is a mutually coincident municipal election within those municipalities in the month of May, the election of the trustee shall be held on that same day. When there is not a mutually coincident election in May within those municipalities, then the election of the trustee to represent that area shall be held concurrently with the statewide primary in June. In the years in which there is no statewide primary, the trustee election in those municipalities shall be held on the 2nd Tuesday in June. Costs for elections held concurrently with the state primary or municipal elections shall be divided between the municipality or state and the district. When there is a division of costs, the district shall be responsible for all costs attributable to the district's share of the election. Costs for an election held solely for the election of the district's trustee shall be paid by the district. In the event that any such election for a trustee results in a tie vote, the other trustees shall select the person who shall become a trustee.

Sec. 2. P&SL 1907, c. 433, §18, 3rd ¶, last sentence, as amended by PL 1981, c. 10, §2, is repealed and the following enacted in its place:

Nomination papers shall be submitted to each municipal clerk of the municipalities within that area during business hours on or before the 21st day next prior to the day of election.

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

Effective March 25, 1988.

CHAPTER 98

H.P. 1713 — L.D. 2352

AN ACT to Amend the Waldoboro Sewer District Charter.

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

Sec. 1. P&SL 1963, c. 146, §14, 3rd ¶, 2nd to 6th sentences, are repealed and the following enacted in their place:

Nomination papers shall be made available by the municipal clerk to prospective candidates during the 40 days prior to the final date of filing and, before issuance, the town clerk may complete each sheet by filling in the name of the candidate, the title and term of office which is being sought. Each voter who signs a nomination paper shall add his place of residence with the street and number, if any. The voter may subscribe only to as many nomination papers for each office as there are vacancies to be filled. All nomination papers shall be filed with the clerk during business hours on or before

the 35th day next prior to the day of election. With the nomination papers, there shall be filed the consent in writing of the persons proposed therein as candidates, agreeing to accept the nomination if nominated, not to withdraw and, if elected at the municipal election, to qualify as the quasi-municipal officer. When filed, the nomination papers shall be made available by the clerk to public inspection under supervision. The clerk shall keep them in the office for 6 months.

Sec. 2. P&SL 1963, c. 146, §17, first sentence, as amended by P&SL 1963, c. 216, §1, is further amended to read:

For accomplishing the purposes of this Act, ~~said~~ the district, by resolutions of its board of trustees, without district vote, is hereby authorized to borrow money temporarily and to issue therefor its negotiable notes, and for the purpose of renewing and refunding the indebtedness so created, of paying any necessary expenses and liabilities incurred under the provisions of this Act, including organizational and other necessary expenses and liabilities incurred by the district or the Town of Waldoboro, the district being authorized to reimburse ~~said~~ the Town of Waldoboro for any such expense incurred or paid by it, and in acquiring properties, paying damages, laying sewers, drains and conduits, constructing, maintaining and operating a sewage plant or system and making renewals, additions, extensions and improvements to the same and to cover interest payments during the period of construction, ~~said~~ the Waldoboro Sewer District, by resolutions of its board of trustees, without district vote, is also hereby authorized to issue, from time to time, bonds, notes or other evidence of indebtedness of the district in one series or in separate series, in such amount or amounts, bearing interest at such rate or rates, and having such terms and provisions as the trustees shall determine; provided, however, that the total indebtedness of ~~said~~ the district at any one time outstanding shall not exceed the sum of ~~\$250,000~~ \$1,000,000.

Sec. 3. Referendum; effective date. This Act shall be submitted to the legal voters of the Waldoboro Sewer District at an election to be called and held for the purpose by December 31, 1988. The election shall be called by the municipal officers and shall be held at the regular voting places. The election shall be called, advertised and conducted according to the law relating to municipal elections; except that the board of registration shall not be required to prepare nor the town clerks to post a new list of voters, and for this purpose the board of registration shall be in session on the 3 working days next preceding the elections, the first and 2nd days to be devoted to registration of voters and the last day to enable the board to verify the corrections of the lists and to complete and close their records of the session. The town clerk shall reduce the subject matter of this Act to the following question:

"Shall the debt limit of the Waldoboro Sewer District be increased to \$1,000,000 and nomination procedures for trustees be changed?"

This Act shall take effect for all purposes immediately upon its acceptance by a majority of the legal voters voting at the election, but only if the total number of votes cast for and against its acceptance exceeds 10% of the registered voters of the district, but failure of approval shall not prevent subsequent elections.

The results of the elections shall be declared by the municipal officers of the town and due certificates of the elections shall be filed by the town clerk with the Secretary of State.

Effective pending referendum.

CHAPTER 99

H.P. 1774 — L.D. 2427

AN ACT to Increase the Debt Limit for the South Berwick Sewer District.

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

Whereas, changes in the debt limit of the South Berwick Sewer District are necessary in order for the district to complete planning for a required secondary treatment plant; 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 1963, c. 226, §16, 3rd sentence is amended to read:

The total outstanding indebtedness of said district, at any one time, shall not exceed the sum of ~~\$500,000~~ \$3,000,000.

Sec. 2. Referendum; effective date. This Act shall be submitted to the legal voters of the South Berwick Sewer District at an election to be called and held for the purpose on or before December 31, 1988. The election shall be called by the municipal officers and shall be held at the regular voting places. The election shall be called, advertised and conducted according to the law relating to municipal elections; except that the board of registration shall not be required to prepare nor the town clerk to post a new list of voters, and for this purpose the board of registration shall be in session on the 3 working days next preceding the election, the first and 2nd days to be devoted to registration of voters and the last day to enable the board to verify the corrections of the lists and to complete and close their records of the ses-