

MAINE STATE LEGISLATURE

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LAWS

OF THE

STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND FOURTEENTH LEGISLATURE

FIRST REGULAR SESSION

December 7, 1988 to July 1, 1989

THE GENERAL EFFECTIVE DATE FOR
NON-EMERGENCY LAWS IS
SEPTEMBER 30, 1989

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IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

J.S. McCarthy Company
Augusta, Maine
1989

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE

AS PASSED AT THE

FIRST REGULAR SESSION

of the

ONE HUNDRED AND FOURTEENTH LEGISLATURE

1989

CHAPTER 1**S.P. 16 - L.D. 1****An Act to Make an Appropriation to the Secretary of State for Expenses Incurred in Recent Elections**

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

Whereas, it is necessary that this legislation be enacted as an emergency measure so that the Secretary of State may meet financial obligations resulting from the June primary and the November general elections; 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:

Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Act.

1988-89

**SECRETARY OF STATE,
DEPARTMENT OF THE****Secretary of State -
Administration**

All Other	\$249,881
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Provides funds to cover the expenses incurred by the Department of the Secretary of State in printing ballots for the 1988 June primary and the November general elections.

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

Effective December 16, 1988.

CHAPTER 2**H.P. 142 - L.D. 194****An Act to Amend the Charter of the Waldoboro Sewer District**

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

Whereas, it is necessary that this legislation be enacted as an emergency in order that the referendum concerning the debt limit may be held in March 1989 and that the results of that referendum will take effect immediately; 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. 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 the candidate's 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~~ 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~~ 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 and that any single expenditure which exceeds \$100,000 must be approved by district vote.

Sec. 3. Referendum; effective date. Section 2 of this Act shall be submitted to the legal voters of the Waldoboro Sewer District at an election to be called and held for that purpose by December 31, 1989. 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 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 section 2 of this Act to the following question:

"Shall the debt limit of the Waldoboro Sewer District be increased to \$1,000,000 and a district vote required for any single expenditure in excess of \$100,000?"

Section 2 of 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.

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

Effective March 3, 1989, unless otherwise indicated.

CHAPTER 3

S.P. 135 - L.D. 220

An Act to Increase the Total Authorized Indebtedness of the Kennebunk Sewer District from \$3,000,000 to \$8,000,000

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

Whereas, this legislation requires referendum approval before it can take effect; and

Whereas, this referendum is connected with the Kennebunk town meeting to be held on March 20, 1989; and

Whereas, unless this Act is enacted before that date, the referendum will require a special election which would be a considerable financial burden on the Town of Kennebunk; and

Whereas, this Act must take effect as soon as possible; 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 1955, c. 69, §16, 3rd sentence, as amended by P&SL 1977, c. 91, is further amended to read:

Said district, by resolution of its board of trustees, is for said purposes or any of them also authorized to issue, from time to time, notes, bonds or other evidence of indebtedness of the district, maturing serially or otherwise, in an amount or amounts, at such rates of interest, and on such terms and conditions as the board of trustees shall determine; provided, however, that the total indebtedness of said district, at any one time outstanding, shall not exceed the sum of ~~\$3,000,000, with the condition that the increase in the debt limit shall be used solely for the design, construction and administration of the interceptor sewers, force mains, pump stations and modifications to the district's wastewater treatment facilities in accordance with the requirements of the Maine Department of Environmental Protection and the United States Environmental Protection Agency~~ \$8,000,000, with the condition that the increase in the debt limit shall be used solely for modifications to the district's waste water treatment facilities in accordance with the requirements of the Department of Environmental Protection and the United States Environmental Protection Agency, the design, construction and administration of the interceptor sewers, force mains, pump stations and general operating expenses; and provided further, that indebtedness of the district shall not be deemed to be outstanding if funds adequate for the payment thereof together with any interest due thereon and premium payable on account thereof, shall have been deposited with the paying agent named in the notes or bonds evidencing such indebtedness in trust for the purpose of making such payment. ~~Any change in the limitation on the expenditure of funds as provided in this section shall first be submitted to the residents of the district for their approval by referendum vote before any change is made in the expenditure of funds.~~

Sec. 2. 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 verifying the vote of the legal voters of the Town of Kennebunk, resident in the district, at the next regular town meeting to be held on March 20, 1989 or at a special town