

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

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

PUBLISHED BY THE REVISOR OF STATUTES
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

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:

Refinancing authorized. Notwithstanding the provisions of Private and Special Law 1986, chapter 107, Private and Special Law 1863, chapter 262, as amended, or any other provision of law, the Trustees of the Dover and Foxcroft Water District, without a district vote or the provision of notice to the voters or ratepayers of the district or the holding of a special district meeting for the purpose of collecting testimony from the public concerning the purpose and amount of debt authorized, may issue and sell to the Maine Municipal Bond Bank revenue bonds or notes of the district for the purpose of refinancing certain revenue bonds dated June 28, 1988, in the aggregate principal amount of \$2,115,500, which were issued to the United States of America acting through the Farmers Home Administration, for the purpose of financing certain capital improvements to the district water system. The bonds authorized by this Act shall be payable over a term not to exceed the term remaining on the bonds dated June 28, 1988, and shall be signed by the Treasurer of the Dover and Foxcroft Water District and countersigned by the chair of the district board of trustees. The district may sell the bonds authorized by this Act to the Maine Municipal Bond Bank upon such terms and conditions as the district trustees and the Maine Municipal Bond Bank may approve.

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

Effective May 2, 1989.

CHAPTER 18

H.P. 278 - L.D. 390

An Act Converting Baring Plantation into the Town of Baring

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

Sec. 1. Town of Baring, incorporated. Baring Plantation, with its inhabitants, is incorporated into a town by the name of Baring. The inhabitants of this town are vested with the powers, privileges and immunities which the inhabitants of towns within the State do or may enjoy. The town created shall take the effects belonging to Baring Plantation and shall also assume all of its obligations.

Sec. 2. Legislative district. Until the next legislative apportionment of Representatives, the Town of Bar-

ing shall remain in the same legislative district in which Baring Plantation is now classed.

Sec. 3. First meeting; how called. Upon acceptance of this Act by referendum as provided in section 4, the board of assessors of the plantation shall issue a warrant, in accordance with the general laws, for the first town meeting, to be held within one year after passage of this Act. Notification of the town meeting shall be filed by the plantation clerk with the Secretary of State for determining the effective date of sections 1 and 2.

Sec. 4. 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 the proposed Town of Baring, by ballot, at a regular or special election to be held within one year after passage of this Act. This election shall be called, advertised and conducted according to the Maine Revised Statutes, Title 30-A, sections 2528 and 2532. The plantation clerk shall prepare the required ballots, on which the clerk shall reduce the subject matter of sections 1 and 2 of this Act to the following question.

"Shall Baring Plantation be incorporated into the Town of Baring?"

The voters shall indicate by a cross or check mark placed against the word "Yes" or "No" their opinion of the same. This Act shall be approved by a majority of the legal voters voting at the election, provided that the total number of votes cast for and against the acceptance of sections 1 and 2 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 Baring Plantation and due certificate shall be filed by the plantation clerk with the Secretary of State.

Sec. 5. Effective date. Section 3 of this Act shall take effect upon its acceptance by a majority of the legal voters at the election. Sections 1 and 2 of this Act shall take effect for all purposes at the first town meeting.

Effective pending referendum, unless otherwise indicated.

CHAPTER 19

H.P. 1089 - L.D. 1511

An Act to Amend the Charter of the New Sharon 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 borrowing authority of the New Sharon Water District is limited by its charter; and

Whereas, the present water system governed by the New Sharon Water District is in need of improvement and repair to protect the quality of the water and the health and well-being of the inhabitants of New Sharon; 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:

P&SL 1967, c. 29, §14, first sentence is amended to read:

For accomplishing the purposes of this Act, said water district, through its trustees, without vote of the inhabitants, is authorized to borrow money temporarily and to issue therefor the negotiable notes of the district, for the purpose of refunding the indebtedness so created, for paying any necessary expenses and liabilities incurred under the provisions of this Act, including the expenses incurred in the creation of a district, in acquiring the properties and franchises of said New Sharon Water Company by purchase or otherwise, of assuming and paying all mortgages, liens and encumbrances thereon as provided in sections 10 and 11, of securing sources of supply, taking water and land, paying damages, laying pipes, constructing, maintaining and operating a water plant and making renewals, extensions, additions and improvements to the same, and protecting the watershed, to an amount or amounts necessary in the judgment of the trustees therefor, provided the total indebtedness shall not exceed the sum of ~~\$100,000~~ \$500,000 at any one time outstanding.

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

Effective May 8, 1989.

CHAPTER 20

H.P. 244 - L.D. 356

An Act to Make Additional Allocations from the Public Utilities Commission Regulatory Fund for the Fiscal Years Ending June 30, 1989 and June 30, 1990

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

Whereas, the 90-day period may not terminate until after the beginning of the next fiscal year; and

Whereas, certain obligations and expenses incident to the operation of the Public Utilities Commission will become due and payable prior to the expiration of the 90-day period; 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:

Allocation of Public Utilities Commission Regulatory Fund. The Public Utilities Commission Regulatory Fund shall be allocated as designated in the following schedule.

| | 1988-89 | 1989-90 |
|---|-----------------|------------------|
| PUBLIC UTILITIES COMMISSION | | |
| Regulatory Fund - Public Utilities Commission | | |
| All Other | | \$50,000 |
| Provides funding for custom software development associated with purchase of computer system. | | |
| Regulatory Fund - Public Utilities Commission | | |
| Capital Expenditures | \$12,000 | \$300,472 |
| Provides funding for roof repairs and the purchase of a computer system. | | |
| PUBLIC UTILITY COMMISSION | | |
| TOTAL | \$12,000 | \$350,472 |

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

Effective May 11, 1989.