

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

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

trustees shall determine, except that loans running for one year or less will not require the Public Utilities Commission's approval.

The bonds, notes and evidences of indebtedness may be issued to mature serially or made to run for periods as the trustees may determine. Bonds, notes or evidences of indebtedness may be issued with or without provisions for calling the bonds, notes or evidences of indebtedness prior to maturity, and if callable, may be made callable at par or at any premium as the trustees may determine. All bonds, notes or other evidences of indebtedness shall have inscribed on their face the words "Quantabacook Water District," shall be signed by the treasurer and countersigned by the president of the board of trustees of the district, and if coupon bonds are issued, the interest coupon attached to the coupon bonds shall bear the facsimile signature of the treasurer.

All bonds, notes and evidences of indebtedness so issued by the district shall be legal obligations of the district, which is declared to be a quasi-municipal corporation within the meaning of the Maine Revised Statutes, Title 30-A, section 5701, and all provisions of that section shall be applicable to the district.

The district may refund and reissue, from time to time, in one or in separate series, its bonds, notes and other evidences of indebtedness, and each authorized issue shall constitute a separate loan. All bonds, notes and evidences of indebtedness issued by the district shall be legal investments for savings banks in the State and shall be free from taxation.

Sec. 14. Rates. The rates established pursuant to this section shall be sufficient to provide revenue for the purposes of this Act and for all other purposes of the district, without the need for any financial assistance from the Town of Harrington, other than the normal payment of water charges for services rendered and the loan or loans for initial funds as set forth in section 13. Individuals, firms and corporations, whether private, public or municipal, shall pay to the treasurer or other designated officer of the district the rates established by the board of trustees for the water used by them. The rates shall be established in accordance with the Maine Revised Statutes, Title 35-A, chapter 61, so as to provide for the purposes set forth in that chapter.

Sec. 15. Existing laws not affected; rights conferred subject to provisions of law. Nothing contained in this Act is intended to repeal, or may be construed as repealing, the whole or any part of any existing law, and all the rights and duties mentioned in this Act shall be exercised and performed in accordance with all the applicable provisions and amendatory Acts of the Maine Revised Statutes, Title 35-A to the extent that this Title and its amendments affect the operations of the district.

Sec. 16. Separability clause. If any section or part of a section of this Act shall be held invalid by a court of competent jurisdiction, the holding shall not affect the remainder of this Act, it being the intention that the remaining portions of this Act shall stand, notwithstanding the

unconstitutionality or invalidity of any section, sentence, clause or phrase.

Sec. 17. Acceptance subject to referendum. This Act shall be submitted to the legal voters within the district at an election to be called for that purpose and held by December 31, 1989. The election shall be called, advertised and conducted according to the law relating to municipal elections, provided that the registrar of voters shall not be required to prepare or the clerk to post a new list of voters and, for this purpose, the registrar of voters shall be in session the 3 secular days preceding the election, of which the first 2 days will be devoted to registration of the voters and the last day to verification of the lists and completion of the records of these sessions by the registrar. The subject matter of this Act shall be reduced to the following questions:

"Shall the Quantabacook Water District be created?"

"Shall the Quantabacook Water District establish a bonded indebtedness limit of \$1,500,000?"

The voters shall indicate by a cross [x] or check mark [✓] placed against the words "Yes" or "No" their opinion of the same.

The results shall be declared by the municipal officers of the Town of Harrington and the due certificate thereof filed by the clerk with the Secretary of State.

This Act shall take effect for all the purposes thereof immediately upon its acceptance by a majority of the legal voters within the district voting at the special election. Failure of the approval by the necessary majority of voters at any such election shall not prevent a subsequent election or elections to be held for that purpose.

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

Effective pending referendum.

CHAPTER 46

H.P. 1205 - L.D. 1675

An Act to Allow the Creation of the Megunticook Watershed District

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

Whereas, the citizens of the Hope, Lincolnville and Camden areas need to start the process of creating a watershed district 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:

Megunticook Watershed District. The Megunticook Watershed District covering the towns of Hope, Lincolnville and Camden may be created pursuant to the Maine Revised Statutes, Title 38, chapter 23. The Camden and Rockland Water Company shall have the same status as a water district under Title 38, chapter 23 and a representative of the Megunticook Watershed Association may be included as a voting member of the board of trustees of the watershed district.

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

Effective June 19, 1989.

CHAPTER 47

S.P. 154 - L.D. 274

An Act to Permit Law Enforcement Officers to Solicit Funds for a Law Enforcement Officers' Memorial

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

Whereas, law enforcement officers perform a great public service to the communities of this State; and

Whereas, these officers, daily, place their lives in jeopardy and are currently prohibited from soliciting funds to allow them to build memorials to their fellow officers slain in the line of duty; 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. Solicitation for a slain law enforcement officers' memorial. For one year following the effective date of this Act, the prohibition on solicitation under the Maine Revised Statutes, Title 25, section 3702, shall not apply to persons authorized under section 2 of this Act to solicit funds for the payment of or to pay for any obligations incurred in the completion, erection and maintenance of one memorial to commemorate law enforcement officers slain in the line of duty, to be erected at a location selected by the Maine Chiefs of Police Association. If the location selected by the Maine Chiefs of Police Association is owned by or

under the control of the State or any of its political subdivisions, the entity having jurisdiction over the location must approve the use of the location for the purposes of this Act.

Sec. 2. Persons authorized to solicit. The following persons may solicit funds as provided in section 1 of this Act:

1. Law enforcement officers. Law enforcement officers, with the consent of the chief administrator of the law enforcement agency employing those officers; and

2. Any other person. Any other person, with the consent of the Maine Chiefs of Police Association.

No law enforcement officer may solicit funds as provided by section 1 of this Act while in uniform. The chief administrator of each law enforcement agency shall provide the Maine Chiefs of Police Association with a list of those law enforcement officers the chief administrator has authorized to solicit funds as provided by section 1 of this Act. The Maine Chiefs of Police Association shall maintain a list of those authorized to solicit funds as provided by section 1 of this Act.

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

Effective June 20, 1989.

CHAPTER 48

H.P. 563 - L.D. 761

An Act Making Unified Appropriations and Allocations for the Expenditures of State Government, Alcoholism Prevention, Education, Treatment and Research Funds, and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 1990, and June 30, 1991

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 state departments and institutions will become due and payable 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,