

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND FOURTEENTH LEGISLATURE
FIRST SPECIAL SESSION

August 21, 1989 to August 22, 1989

and

SECOND REGULAR SESSION

January 3, 1990 to April 14, 1990

THE GENERAL EFFECTIVE DATE FOR
NON-EMERGENCY LAWS IS
July 14, 1990

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
1990

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE

AS PASSED AT THE

SECOND REGULAR SESSION

of the

ONE HUNDRED AND FOURTEENTH LEGISLATURE

January 3, 1990 to April 14, 1990

CHAPTER 97

H.P. 1348 - L.D. 1865

An Act to Amend the Charter of the Hallowell Water 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 urgent for the Hallowell Water District to include the Town of Chelsea in its territory so that the inhabitants of the town have a safe, reliable and adequate supply of pure water; 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 1921, c. 75, §1, first ¶, as amended by P&SL 1971, c. 83, §16 is further amended to read:

Sec. 1. Territorial boundaries and corporate name. All the territory of the City of Hallowell, the Town of Chelsea, and all that area in the Town of Farmingdale lying westerly of a line 1,000 feet easterly of and parallel to the Blaine Road beginning at the Hallowell-Farmingdale ~~line~~ line and extending to a point 1,000 feet south of Bowman Street, and lying northerly of a line that begins at the southerly end of the first line and extends at right angles to the west line of Farmingdale, together with the people in said area, shall constitute a public municipal corporation under the name of the Hallowell Water District for the purpose of supplying the inhabitants of said area with pure water for domestic, sanitary and municipal purposes.

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

Effective February 6, 1990.

CHAPTER 98

S.P. 702 - L.D. 1840

An Act to Amend the Charter of the Castine 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 provisions of Private and Special Laws of 1961 creating the Castine Water District limit its total indebtedness to the sum of \$250,000; and

Whereas, the Castine Water District may have to soon borrow large sums of money to repair, improve and expand the present water supply and distribution system to meet the water needs of the Town of Castine; 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 1961, c. 67, §6, first ¶, is amended by inserting after the 2nd sentence a new sentence to read:

The municipal officers of the Town of Castine shall also appoint an alternate member of the board who will attend trustee meetings and be authorized to vote therein in the absence of a trustee.

Sec. 2. P&SL 1961, c. 67, §11, first sentence, is amended to read:

For accomplishing the purposes of this ~~act~~ Act, said water district, through its trustees, is authorized to borrow money temporarily, and to issue therefor the interest-bearing negotiable notes of the district, and for the purpose of refunding the indebtedness so created, of paying any necessary expenses and liabilities incurred under the provisions of this ~~act~~ Act, including the expenses incurred in the creation of the district, in acquiring the aforesaid properties and franchises of the Castine Water Company, by purchase or otherwise, of securing sources of supply, taking water and land, paying damages, laying pipes, constructing, maintaining and operating a water plant and making extensions, additions and improvements to the same, the said district, through its trustees, may from time to time issue bonds of the district to an amount necessary in the judgment of the trustees therefor, but shall not incur a total indebtedness exceeding the sum of ~~\$250,000~~ \$2,000,000.

Sec. 3. P&SL 1961, c. 67, §18 is amended to read:

Sec. 18. Existing statutes not affected; rights conferred subject to provisions of law. Nothing herein contained is intended to repeal, or shall be construed as repealing, the whole or any part of any existing statute, and all rights and duties herein mentioned shall be exercised and performed in accordance with all the applicable provisions of the Maine Revised Statutes of 1954, chapter 44, Title 35-A, with particular reference to chapter 61 and section 6303, subsections 4 and 5 and all acts amendatory thereof or additional thereto.

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

Effective February 23, 1990.

CHAPTER 99

S.P. 832 - L.D. 2140

An Act Concerning the Commission to Implement the Computerization of Criminal History Record Information

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

Whereas, the Commission to Implement Computerization of Criminal History Record Information is in the midst of developing and implementing a computerized criminal history record information system of which warrant information should be a part; and

Whereas, the commission needs to include consideration of warrants in its work 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 1985, c. 135, §3, sub-§§3 and 4 are amended to read:

3. Qualified personnel to enter, maintain, retrieve and delete data from a computerized criminal history record information data system; ~~and~~

4. A method to verify accurate data entry into a computerized criminal history record information data system and to maintain security for that system; and

Sec. 2. P&SL 1985, c. 135, §3, sub-§5 is enacted to read:

5. Appropriate procedures for the service and maintenance of warrants to ensure inclusion in the computerized criminal history record information data system.

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

Effective February 23, 1990.

CHAPTER 100

S.P. 732 - L.D. 1931

An Act to Correct Errors in the Affordable Housing Bond Issue

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

Whereas, Private and Special Law 1989, chapter 84 was put out to referendum during the last election; and

Whereas, the measure was approved by the voters; and

Whereas, that Act contained certain incorrect cross-references to the statutes that must be corrected to avoid confusion and errors in law; 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 1989, c. 84, §1, sub-§§1, 2 and 4 are amended to read:

1. \$4,000,000 shall be used to provide grants and low-interest loans to municipalities as governed by the Maine Revised Statutes, Title 30-A, chapter ~~201~~ 202, subchapter II;

2. \$5,000,000 shall be used for the purpose of acquiring land for affordable housing as governed by Title 30-A, chapter ~~201~~ 202, subchapter IV;

4. \$2,000,000 shall be used to restore deteriorating residential areas as governed by Title 30-A, chapter ~~201~~ 202, subchapter VI; and

Sec. 2. P&SL 1989, c. 84, §4 is amended to read:

Sec. 4. Taxable bond option. With respect to bonds issued for purposes governed by Title 30-A, chapter ~~201~~ 202, the Treasurer of State, at the direction of the Governor, shall covenant and consent that the interest on the bonds shall be includable, under the United States Internal Revenue Code, in the gross income of the holders of the bonds to the same extent and in the same manner that the interest on bills, bonds, notes or other obligations of the United States is includable in the gross income of the holders under the United States Internal Revenue Code or any subsequent law. The powers conferred by this section shall not be subject to any limitations or restrictions of any law which may limit the power to so covenant and consent. All efforts shall be made to maximize the use of tax-exempt bonds.