

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 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

school boards to determine eligibility for the waiver of educational mandates, to apply for an educational mandate waiver and to plan for coming into compliance with the mandate so that, as soon as possible, the waiver will no longer be necessary.

Sec. 4. Report. By January 1, 1991, the commissioner shall report to the Joint Standing Committee on Education on the status of educational mandate waivers. The report must include the number of waivers requested and granted, the mandates or requirements from which waivers were sought, the reasons for the waiver requests, an evaluation of the waiver program and recommendations on the continued need for educational mandate waivers.

Sec. 5. Repeal. This Act is repealed on July 1, 1991.

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

Effective April 17, 1990.

CHAPTER 123

S.P. 972 - L.D. 2438

An Act Concerning the Authority of the Public Utilities Commission to Order Competitive Bidding

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 to suspend the operation of any rules conflicting with this act 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. Suspension of rule. The Public Utilities Commission may not issue any order, adopt any rule or implement any order or rule that requires, or requires the consideration of, competitive bidding or notice to potential competitive bidders for any construction project for interexchange facilities. Any rule or portion of a rule that conflicts with this section is suspended until January 1, 1991. If any portion of a rule is suspended under this section, that suspension does not affect any other portion of a rule that can be given effect.

Sec. 2. Report. The Public Utilities Commission shall review and evaluate the concerns of labor and management regarding the bidding provisions of the Maine Public Utilities Commission Rules, Chapter 280. The commission shall submit a report of its findings together with any recommendations to the Joint Standing Committee on Utilities on or before January 1, 1991. A copy of that report must be forwarded to the Office of the Executive Director of the Legislative Council.

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

Effective April 17, 1990.

CHAPTER 124

S.P. 988 - L.D. 2451

An Act to Ensure the Proper Payment of Property Tax Relief Funds

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

Sec. 1. Study of potential abuse. The State Tax Assessor shall undertake a study of the Maine Residents Property Tax Program, the Maine Revised Statutes, Title 36, chapter 907, regarding its administration, enforcement and interaction with municipal officials. This study must include information about program abuses, real or alleged, and suggest alternatives to correct any abuses or potential abuse situations. The State Tax Assessor may also include any other information about the program that is relevant.

Sec. 2. Reporting date. The State Tax Assessor shall prepare the report specified in section 1 of this Act and present it to the Joint Standing Committee on Taxation and the Office of the Executive Director of the Legislative Council by February 15, 1991. If necessary, the committee shall present any implementing legislation to the First Regular Session of the 115th Legislature by March 1, 1991.

See title page for effective date.

CHAPTER 125

H.P. 1802 - L.D. 2473

An Act to Amend the Charter of the Quantabacook 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 Quantabacook Water District must take action as soon as possible to purchase the Quantabacook Water Company and become operational; and

Whereas, the appointment of the initial trustees is essential to the administration of the water district; 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. 45, §9, sub-§1 is repealed and the following enacted in its place:

1. First board. The municipal officers of the Town of Harrington shall appoint the first board of trustees. One trustee serves for a term of one year, one trustee serves for a term of 2 years and one trustee serves for a term of 3 years. At the first meeting the initial trustees shall determine by agreement, or failing to agree they shall determine by lot, the term of office of each trustee. Vacancies are filled pursuant to subsection 4.

Sec. 2. P&SL 1989, c. 45, §9, sub-§4, first sentence is repealed and the following enacted in its place:

Whenever the term of office of a trustee expires, the trustee's successor is elected by a plurality vote by the inhabitants of the district.

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

Effective April 17, 1990.

CHAPTER 126

H.P. 1795 - L.D. 2462

An Act Increasing the Borrowing Capacity of the Mars Hill Utility District

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

Whereas, the charter of the Mars Hill Utility District, Private and Special Law 1957, chapter 143, provides a borrowing capacity of \$1,500,000 that is insufficient for a certain waste water treatment project and water project to be undertaken by the Mars Hill Utility District; and

Whereas, it is necessary for the Mars Hill Utility District to borrow funds in excess of its present debt limit for the accomplishment of these projects; 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 1957, c. 143, §12, first sentence, as amended by P&SL 1979, c. 12, §2, is further amended to read:

For accomplishing the purposes of this act, said district, through its trustees, is authorized to borrow money temporarily in an amount not to exceed ~~\$1,500,000~~ \$4,500,000 outstanding at any one time 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, including the expenses incurred in the creation of the district, in reimbursing said town, in acquiring the aforesaid properties, privileges and franchises of the Mars Hill and Blaine Water Company, its successors or assigns, by purchase or otherwise, or securing sources of supply, taking water and land, paying damages, laying pipes, constructing and maintaining and operating a water, sewerage and drainage system, sewage treatment and disposal facilities 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, maturing at one time or in uniform or varying installments with or without call provisions and at or without any premium.

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

Effective April 17, 1990.

CHAPTER 127

H.P. 1812 - L.D. 2484

An Act to Expand the Boundaries of the Presque Isle Water District and the Presque Isle Sewer District

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

Sec. 1. P&SL 1937, c. 80, §4, as repealed and replaced by P&SL 1987, c. 34, §1, is repealed and the following enacted in its place:

Sec. 4. Territorial limits; name; purposes. The City of Presque Isle and the inhabitants and territory within that city, which is bounded and described as follows: on the north by the corporate boundary of the City of Presque Isle (also being the south line of the City of