

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 FIFTEENTH LEGISLATURE

FIRST REGULAR SESSION

December 5, 1990 to July 10, 1991

FIRST SPECIAL SESSION

July 11, 1991 to July 18, 1991

THE GENERAL EFFECTIVE DATE FOR

FIRST REGULAR SESSION

NON-EMERGENCY LAWS IS

OCTOBER 9, 1991

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
1991

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE

AS PASSED AT THE

FIRST REGULAR SESSION

of the

ONE HUNDRED AND FIFTEENTH LEGISLATURE

1991

Each member is entitled to compensation in an amount not to exceed \$1,000 per year set by the municipal officers of the Town of Rumford.

Sec. 2. P&SL 1971, c. 58, first 3 lines are amended to read:

P. & S. L., 1911, c. 290, § 9, amended. The 6th 7th sentence of section 9 of chapter 290 of the private and special laws of 1911, is repealed and the following enacted in place thereof:

Sec. 3. P&SL 1981, c. 45, §1, first 2 lines are amended to read:

Sec. 1. P&SL 1911, c. 290, § 9, 6th 7th sentence, as repealed and replaced by P&SL 1971, c. 58, is amended to read:

See title page for effective date.

CHAPTER 6

H.P. 54 - L.D. 75

An Act to Protect Insurance Consumers

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

Allocation. The following funds are allocated from Other Special Revenue to carry out the purposes of this Act.

	1991-92	1992-93
PROFESSIONAL AND FINANCIAL REGULATION, DEPARTMENT OF		
Bureau of Insurance		
All Other	\$18,000	\$18,000
Provides funds for an "800" telephone number on a recording device to enable the Bureau of Insurance to assist citizens with claims and purchases of health, long-term care and life insurance.		

See title page for effective date.

CHAPTER 7

S.P. 251 - L.D. 709

An Act to Provide for Fiscal Year Accounting and Pretreatment Provisions for the Kennebec Sanitary Treatment District

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

Sec. 1. P&SL 1971, c. 45, §3, as amended by P&SL 1975, c. 128, §§5 to 7, is further amended by adding at the end a new paragraph to read:

The trustees are entitled to receive compensation as recommended by them and approved by majority vote of the municipal officers in municipalities representing a majority of the population within the district, including compensation for any duties they perform as officers as well as for their duties as trustees. Certification of such a vote must be recorded with the Secretary of State and recorded in the bylaws of the district. The compensation for duties as trustees must be on the basis of such specified amount as may be specified in the bylaws for each meeting actually attended and reimbursement for travel and expenses with the total not to exceed such specific amount as may be specified in the bylaws. Compensation schedules in effect on January 1, 1990, continue in effect until changed.

Sec. 2. P&SL 1971, c. 45, §10, 3rd ¶, as amended by P&SL 1983, c. 18, §2, is further amended to read:

The trustees district may by order, rule or regulation require industrial pretreatment of wastes discharged into its sewage treatment or into any system connecting with it, or such industrial pretreatment as may be required by any federal or state order, rule or regulation.

Sec. 3. P&SL 1971, c. 45, §10, 4th ¶, first sentence is amended to read:

In addition to any other remedy, the Superior Court shall have jurisdiction upon a complaint filed by the district to restrain or enjoin any person, firm, corporation or municipality from committing any act ~~which~~ that may damage or impair its sewage treatment or ~~which~~ is prohibited by any order, rule or regulation of the district, including, without limitation, any order, rule or regulation pertaining to the pretreatment of industrial waste.

Sec. 4. P&SL 1971, c. 45, §12, as repealed and replaced by P&SL 1983, c. 18, §3, is amended to read:

Sec. 12. Injury to property of district. Any person who ~~shall place, discharge places, discharges or leave~~ leaves any offensive or injurious matter or material on or in the conduits, catch basins or receptacles of the district contrary to its regulations, or ~~shall knowingly injure~~ injures any conduit, pipe, reservoir, flush tank, catch basin, manhole, outlet, engine, pump or other property held, owned or used by the district ~~shall be~~ is liable to pay twice the amount of the damages to the district, to be recovered in any proper action; and that person and any person who violates section 10 is guilty of a Class E crime.

An industrial user who produces industrial waste and who violates any local, state or federal law, order, rule or regulation pertaining to the pretreatment of industrial waste may be enjoined from continuing in any such violation and may be assessed, in addition to any

other penalties provided by law, a penalty of not more than \$2,000 a day for each violation. The district is authorized to seek the injunctive relief and to recover this penalty in a civil action in the District Court or Superior Court.

Sec. 5. P&SL 1971, c. 45, §15, first ¶, as amended by P&SL 1975, c. 128, §12, is further amended to read:

Sec. 15. Determination of annual apportionable costs. The fiscal year of the district ~~shall be the calendar year, is determined by the trustees~~ and the trustees shall, prior to ~~January 15th~~ the first day of the 2nd month of each fiscal year following the acceptance of this Act, determine the total anticipated sums necessary to provide for the operation and maintenance of the district and its facilities for the year and adopt a budget for that year. The district trustees shall also determine the portion of the total sums to be raised for the ~~calendar~~ fiscal year, the amounts to be apportioned to said towns and the Waterville Sewerage District.

Sec. 6. P&SL 1971, c. 45, §15, as amended by P&SL 1981, c. 26, §§1 and 2, is further amended by adding after the first paragraph a new paragraph to read:

To effect a transition to a different fiscal year, the district may adopt a budget, determine the portion of the total sums to be raised for that budget and the amounts to be apportioned for one or more fiscal years not longer than 18 months each.

Sec. 7. P&SL 1971, c. 45, §15, last ¶, first sentence, as amended by P&SL 1981, c. 26, §1, is further amended to read:

If a surplus exists at the end of a ~~calendar~~ fiscal year, it may be transferred to a surplus account ~~which shall that may~~ not exceed \$100,000.

Sec. 8. P&SL 1971, c. 45, §15, last ¶, 2nd sentence, as enacted by P&SL 1981, c. 26, §2, is amended to read:

The balance in the surplus account ~~shall may~~ not be increased by more than \$25,000 in any ~~calendar~~ fiscal year.

Sec. 9. P&SL 1971, c. 45, §16, sub-§2, 3rd sentence is amended to read:

When ~~such those~~ facilities ~~shall~~ have been in operation for a ~~calendar~~ fiscal year, the apportionment of operating costs thereafter ~~shall must~~ be based ~~upon on~~ the measured flow of waste water and ~~sewage~~ sewerage entering ~~such those~~ facilities during the previous fiscal year from each public user after deducting the measured flow of waste water and sewerage from any private user ~~which that~~ enters the sewage system of a public user in order to reach the district's treatment facilities.

Sec. 10. P&SL 1971, c. 45, §16, 6th ¶, first sentence, as amended by P&SL 1975, c. 128, §18, is further amended to read:

The amount so apportioned for each public user ~~shall must~~, prior to ~~February 1st~~ the first day of the 3rd month in each fiscal year, be certified by the trustees to the assessors of said towns and the commissioners of Waterville Sewerage District.

Sec. 11. P&SL 1971, c. 45, §16, 6th ¶, last sentence is amended to read:

The respective treasurers of said towns and district shall pay the amount so certified to the treasurer of the district in 4 substantially equal installments on or before ~~April 1st, July 1st, October 1st and January 1st~~ the first day of the following 4th, 7th and 10th months of the fiscal year and the first day of the next fiscal year of the district and during a transition period the amounts must be paid in substantially equal installments at 3-month intervals.

See title page for effective date.

CHAPTER 8

H.P. 645 - L.D. 919

An Act to Amend the Charter of the Berwick Sewer District

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

Whereas, if the Berwick Sewer District allows more abutters on its lines, the district will be in violation of its National Pollutant Discharge Elimination System permit; and

Whereas, the Berwick Sewer District needs the authority to refuse abutting owners to enter upon the district's lines before the 90-day period after adjournment has elapsed; 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 1963, c. 154, §9 is amended to read:

Sec. 9. Rights of abutters or others to enter. The district at all times ~~shall be~~ is bound to permit the owners of premises abutting upon its lines of pipes and conduits to enter the same with all proper sewage upon conformity to the rules and regulations of the dis-