

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND FIFTEENTH LEGISLATURE

SECOND SPECIAL SESSION

December 12, 1991 to January 7, 1992

SECOND REGULAR SESSION

January 8, 1992 to March 31, 1992

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SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
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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
1992

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE

AS PASSED AT THE

SECOND REGULAR SESSION

of the

ONE HUNDRED AND FIFTEENTH LEGISLATURE

1991

Emergency clause. In view of the emergency cited in the preamble, this Act takes effect when approved only for the purpose of permitting its submission to the legal voters within the district.

Effective pending referendum.

CHAPTER 81

H.P. 1479 - L.D. 2091

An Act to Revise the Charter of the Boothbay Harbor Sewer District

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

Whereas, the Boothbay Harbor Sewer District is a quasi-municipal corporation organized and existing under the laws of the State; and

Whereas, the Boothbay Harbor Sewer District operates a wastewater treatment facility in Boothbay Harbor; and

Whereas, the existing primary wastewater treatment facility of the Boothbay Harbor Sewer District is not capable of complying with state and federal wastewater discharge laws; and

Whereas, the Boothbay Harbor Sewer District has entered into a consent agreement with the Department of Environmental Protection that requires the district to take action to control and abate discharges that exceed permissible limits; and

Whereas, it is anticipated that the Boothbay Harbor Sewer District will need to construct a wastewater treatment facility in order to comply with state and federal laws; and

Whereas, the anticipated costs for such construction exceed the existing debt limit set forth in the charter of the Boothbay Harbor Sewer 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 1961, c. 161, §17, 2nd sentence, as repealed and replaced by P&SL 1971, c. 54, is amended to read:

The total indebtedness of ~~said~~ the district at any one time outstanding ~~shall~~ may not exceed the sum of ~~\$1,500,000~~ \$5,500,000.

Sec. 2. P&SL 1961, c. 161, §17, 3rd sentence, as repealed and replaced by P&SL 1971, c. 54, is amended to read:

In the case of a vote by the trustees to authorize bonds or notes to pay for the acquisition of property, for the cost of a sewage plant or system or part ~~thereof~~ of a sewage plant or system, for renewals or additions or for other improvements in the nature of capital costs, the estimated cost of which singly or in the aggregate is ~~\$50,000~~ \$150,000 or more, but not for renewing or re-funding existing indebtedness or to pay for maintenance, repairs or for current expenses, notice of the proposed debt, the general purpose or purposes for which it was authorized and of the date of a special district meeting for the purpose of voters of the district voting ~~thereon~~ shall must be given by the clerk by publication at least once in a newspaper having a general circulation in the Town of Boothbay Harbor.

Sec. 3. Emergency clause; referendum; effective date. In view of the emergency cited in the preamble, except as otherwise provided in this section, sections 1 and 2 of this Act take effect when approved only for the purpose of permitting their submission to the legal voters of the Boothbay Harbor Sewer District, resident in the district, at a district referendum to be called and held for the purpose by May 1, 1992. The election must be called, advertised and conducted according to the Maine Revised Statutes, Title 30-A, section 2354; provided, however, that the municipal officers of the town are not required to prepare for posting, nor the town clerk to post, a new list of voters and, for the purpose of registration of voters, the board of voter registration must be in session on the secular day next preceding the special election. The district shall prepare the required ballots, on which the subject matter of section 1 of this Act must be reduced to substantially the following question, referred to in this section as "question A":

Question A.

"Shall the charter of the Boothbay Harbor Sewer District be revised to increase the total debt limit of the district to \$5,500,000?"

The subject matter of section 2 of this Act must be reduced to substantially the following question, referred to in this section as "question B":

Question B.

"Shall the charter of the Boothbay Harbor Sewer District be revised to increase the borrowing limit of the trustees to incur debt without voter participation to \$150,000?"

The voters shall indicate by a cross or check mark placed against the word "Yes" or "No" their opinion of the same. Section 1 of this Act takes effect immediately upon acceptance of question A by a majority of the legal voters voting at the election except that, if a vote is held in conformity with the provisions of this section prior to the approval of this Act and a majority of the legal voters voting at the election vote in favor of question A, section 1 of this Act takes effect upon approval of the Act. Section 1 of this Act takes effect according to the procedure set forth in this section, notwithstanding the reference to "\$5,000,000.00" in Article 03 of the warrant entitled "TOWN WARRANT" of the Town of Boothbay Harbor dated February 10, 1992. Section 2 of this Act takes effect immediately upon acceptance of question B by a majority of the legal voters voting at the election except that, if a vote is held in conformity with the provisions of this section prior to the approval of this Act and a majority of the legal voters voting at the election vote in favor of question B, section 2 of this Act takes effect upon approval of the Act.

The result of the vote must be declared by the board of trustees of the district and due certificate thereof must be filed with the town clerk and with the Secretary of State.

Sec. 4. Local referendum impact. Notwithstanding the Maine Revised Statutes, Title 30-A, section 5684, additional costs, if any, imposed on any municipality by the provisions of this Act providing for a local referendum are not funded by the State.

Effective pending referendum.

CHAPTER 82

S.P. 875 - L.D. 2236

An Act Concerning the Degree Granting Authority of Husson College

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

Sec. 1. P&SL 1953, c. 11, first ¶, as amended by P&SL 1963, c. 15, is repealed and the following enacted in its place:

Sec. 1. Bachelor degrees. Husson College, a nonprofit corporation located in Bangor, Penobscot County, has power and authority to confer the degrees of bachelor of science upon all persons who have completed satisfactorily a 4-year course of study.

Sec. 2. Associate degrees. Husson College is authorized, by appropriate action of its trustees, to confer upon all who successfully complete a 2-year course of instruction an associate science degree.

Sec. 3. Master degrees. Husson College is authorized, by appropriate action of its trustees, to confer upon all who successfully complete courses of study as those trustees may prescribe, within the scope customarily established by colleges offering a graduate curriculum, the degree of master of science in business.

Sec. 4. Honorary doctorate degrees. Husson College is authorized by appropriate action of its trustees to confer upon distinguished persons in recognition of their achievements, fine work and contributions to society and mankind appropriate honorary doctorate degrees.

Sec. 2. P&SL 1953, c. 11, 2nd ¶, as enacted by P&SL 1977, c. 13, §1, is repealed.

Sec. 3. P&SL 1965, c. 121, as amended by P&SL 1969, c. 213, is repealed.

Sec. 4. P&SL 1969, c. 90 is repealed.

Sec. 5. P&SL 1981, c. 105 is repealed.

See title page for effective date.

CHAPTER 83

S.P. 881 - L.D. 2253

An Act to Provide for the Annual Apportionment of the Kennebec Sanitary Treatment District's Operation Costs on a 3-year Average

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

Sec. 1. P&SL 1971, c. 45, §16, sub-§2, 3rd sentence, as amended by P&SL 1991, c. 7, §9, is further amended to read:

When those facilities have been in operation for a 3 fiscal year years, the apportionment of operating costs thereafter must be based on the measured flow of waste water wastewater and sewerage entering those facilities during the previous 3 fiscal year years from each public user after deducting the measured flow of waste water wastewater and sewerage from any private user that enters the sewerage system of a public user in order to reach the district's treatment facilities.

See title page for effective date.

CHAPTER 84

H.P. 1623 - L.D. 2286

An Act to Expand the Membership of the Maine Committee for Global Education