

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

AS PASSED BY THE

ONE HUNDRED AND FIFTEENTH LEGISLATURE

**THIRD SPECIAL SESSION**

October 1, 1992 to October 6, 1992

**FOURTH SPECIAL SESSION**

October 16, 1992

ONE HUNDRED AND SIXTEENTH LEGISLATURE

**FIRST REGULAR SESSION**

December 2, 1992 to July 14, 1993

THE GENERAL EFFECTIVE DATE FOR  
FIRST REGULAR SESSION  
NON-EMERGENCY LAWS IS  
OCTOBER 13, 1993

PUBLISHED BY THE REVISOR OF STATUTES  
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,  
TITLE 3, SECTION 163-A, SUBSECTION 4.

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J.S. McCarthy Company  
Augusta, Maine  
1993

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**PRIVATE AND SPECIAL LAWS**

**OF THE**

**STATE OF MAINE**

**AS PASSED AT THE**

**FIRST REGULAR SESSION**

**of the**

**ONE HUNDRED AND SIXTEENTH LEGISLATURE**

**1993**

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**CHAPTER 9**

**H.P. 351 - L.D. 454**

**An Act Authorizing the Kennebec County Commissioners to Issue Bonds in the Amount of \$300,000 for Completion of the Renovation and Expansion of the County Jail Building in Augusta**

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

**Whereas,** the voters of Kennebec County, by referendum, have approved the issuance of bonds in the amount of \$7,900,000 for renovation and expansion of the county jail and law enforcement facilities located in Augusta; and

**Whereas,** those bonds have been issued and the renovation and expansion is nearing completion; and

**Whereas,** bonds in the additional amount of \$300,000 must be issued to pay the cost of completion of the renovation and expansion; and

**Whereas,** the Kennebec County Budget Committee, Kennebec County commissioners and the Kennebec County legislative delegation have unanimously approved the request for issuance of bonds in the additional amount of \$300,000; and

**Whereas,** it is necessary that this legislation be enacted as an emergency measure in order to meet the May 1st financing deadline of the Maine Municipal Bond Bank; 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. Bonds.** To provide funds for completion of the renovation and expansion of the county jail and law enforcement facilities located in Augusta, in addition to the amount authorized to be raised and expended pursuant to Private and Special Law 1987, chapter 113, the treasurer of Kennebec County, with the approval of the county commissioners, may borrow upon the full faith and credit of the county such sums as necessary, not exceeding in the aggregate \$300,000, and may issue bonds therefor. Each authorized issue is payable in such annual installments, beginning no earlier than October 1, 1994, as will extinguish each loan on or before December 31, 2013. The bonds must be signed by the county

treasurer and countersigned by the majority of the county commissioners. The county may sell the securities at public or private sale upon such terms and conditions as the county commissioners may determine proper, but at not less than par and accrued interest.

**Sec. 2. Temporary notes.** The county treasurer, with the approval of the county commissioners, may issue temporary notes of the county, payable in not more than one year from the date of issue, in anticipation of the issue of bonds under this Act and may renew the temporary notes, but the time within which the bonds become due and payable may not be extended beyond the term fixed by this Act by reason of such temporary notes. Any notes issued in anticipation of the bonds must be paid from the proceeds of the bonds.

**Sec. 3. Referendum not required.** Notwithstanding the Maine Revised Statutes, Title 30-A, sections 122 and 934, this Act becomes valid upon enactment without being submitted to the voters of Kennebec County.

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

Effective April 2, 1993.

**CHAPTER 10**

**S.P. 48 - L.D. 70**

**An Act to Make Additional Allocations from the Highway Fund for the Expenditures of State Government for the Fiscal Year Ending June 30, 1993**

**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 will become due and payable before the end of the fiscal year; 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:**

**PART A**

**Sec. A-1. Additional allocations from Highway Fund.** The following sums are allocated from the Highway Fund to the departments listed for the fiscal year ending June 30, 1993.

**ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF**

**State Claims Board**

Personal Services	(\$19,093)
All Other	19,093

Provides for the allocation of funds through a line category transfer to cover the board's operating costs for condemnation hearings through the remainder of this fiscal year.

**DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES**  
**TOTAL** \_\_\_\_\_  
-0-

**ATTORNEY GENERAL, DEPARTMENT OF THE**

**District Attorneys' Salaries**

All Other	16,000
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Provides for the allocation of funds for STA-CAP charges.

**DEPARTMENT OF THE ATTORNEY GENERAL**  
**TOTAL** \_\_\_\_\_  
16,000

**SECRETARY OF STATE, DEPARTMENT OF THE**

**Administration - Motor Vehicles**

Capital Expenditures	(120,501)
Unallocated	120,501

Provides for the allocation of funds through a line category transfer to be available for the Division of Motor Vehicles for purchase or operating costs of leasing or renting vehicles from the Central Motor Pool. Any unexpended balance lapses to the Highway Fund as of June 30, 1993.

**DEPARTMENT OF THE SECRETARY**

**OF STATE**  
**TOTAL** \_\_\_\_\_  
-0-

**PART A**  
**TOTAL ALLOCATIONS** \_\_\_\_\_  
\$16,000

**PART B**

**Sec. B-1. Allocation.** The following funds are allocated from the Highway Fund for the fiscal year ending June 30, 1993 to carry out the purposes of this Act.

**1992-93**

**SECRETARY OF STATE, DEPARTMENT OF THE**

**Administration - Motor Vehicles**

Personal Services	(\$310,000)
All Other	(200,000)

Provides for the deallocation of funds due to salary savings resulting from holding vacant certain positions and from reductions in operations.

**DEPARTMENT OF THE SECRETARY OF STATE**  
**TOTAL** \_\_\_\_\_  
(510,000)

**TRANSPORTATION, DEPARTMENT OF**

**Highway Maintenance**

Personal Services	(184,134)
All Other	(2,175,750)
Capital Expenditures	(811,131)

**TOTAL** \_\_\_\_\_  
(3,171,015)

Provides for the deallocation of funds through projected end-of-the-year savings from Balance Forward.

**Traffic Service**

Personal Services	(127,666)
All Other	(26,620)
Capital Expenditures	(20,908)

**TOTAL** \_\_\_\_\_  
(175,194)

Provides for the deallocation of funds through projected end-of-the-year savings from Balance Forward.

**Bridge Maintenance**

Personal Services	(11)
All Other	(22)
Capital Expenditures	(61,022)
<b>TOTAL</b>	<u>(61,055)</u>

Provides for the deallocation of funds through projected end-of-the-year savings from Balance Forward.

**Local Road Assistance**

All Other	(204,818)
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Provides for the deallocation of funds through projected end-of-the-year savings from Balance Forward.

**Highway Maintenance**

All Other	(601,298)
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Provides for the deallocation of funds through the reduction of all other expenditures.

<b>DEPARTMENT OF TRANSPORTATION TOTAL</b>	<u>(4,213,380)</u>
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<b>PART B TOTAL</b>	<u>(\$4,723,380)</u>
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**Emergency clause.** In view of the emergency cited in the preamble, this Act takes effect when approved.

Effective April 15,1993.

**CHAPTER 11**

**H.P. 705 - L.D. 957**

**An Act to Amend the Charter of the Newport Water District**

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

**Whereas,** changes need to be made to the charter of the Newport Water District; and

**Whereas,** the changes need to take effect immediately to ensure the proper operation of the district; and

**Whereas,** in the judgment of the Legislature, these facts create an emergency within the meaning of the Con-

stitution 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 1975, c. 29, §§1 and 4** are amended to read:

**Sec. 1. Territorial limits; corporate name; purposes.** Subject to the provisions of section 19 hereof, ~~the~~ The inhabitants and territory of the Town of Newport in the County of Penobscot ~~shall~~ constitute a body politic and corporate under the name of "Newport Water District" for the purpose of supplying ~~said Town of Newport and~~ the inhabitants and others of ~~said the~~ said district; ~~and, by contract, persons or businesses located in the Town of Palmyra with pure water for domestic, sanitary, commercial, industrial, agricultural and municipal purposes.~~

**Sec. 4. Authorized to lay pipes over public ways.** The ~~said~~ district is ~~hereby~~ authorized to lay in and through the streets, roads, ways, highways and bridges in ~~said the~~ said the Town of Newport and the Town of Palmyra, and across private lands ~~therein in those towns,~~ and to maintain, repair and replace all ~~such~~ pipes, aqueducts and fixtures as ~~may be~~ necessary and convenient for its corporate purposes, and whenever ~~said the~~ said the district ~~shall lay~~ lays any pipes or aqueducts in any street, road, way or highway, it shall cause ~~the same to be done with~~ as little obstruction as practicable to the public travel, and shall at its own expense, without unnecessary delay, cause the earth and pavement removed by it to be replaced in proper condition.

**Sec. 2. P&SL 1975, c. 29, §12** is amended by adding at the end a new paragraph to read:

The district is authorized to make contracts with the Town of Palmyra or any persons or businesses located in the Town of Palmyra for the purpose of supplying water to persons or businesses in the Town of Palmyra who wish to purchase water from the district.

**Sec. 3. Emergency clause; referendum; effective date.** In view of the emergency cited in the preamble, this Act takes effect when approved, except that the changes made pertaining to the inclusion of a portion of the Town of Palmyra in the Newport Water District and the addition of 2 new members to the Board of Trustees of the Newport Water District, one from the Town of Newport and one from the Town of Palmyra, take effect only for the purpose of permitting its submission to the legal voters of the Newport Water District, resident in the district at an election called for that purpose and held by December 31, 1993. The election must be called, advertised and conducted according to the laws relating to municipal elections, except that the registrar