

# 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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**Sec. 1. Appropriation.** The following funds are appropriated from the General Fund to carry out the purposes of this Act.

1992-93

## ECONOMIC AND COMMUNITY DEVELOPMENT, DEPARTMENT OF

### Office of Business Development

All Other \$50,000

Provides for the appropriation of funds for Maine's membership fees to the Seacoast Shipyard Association.

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

Effective May 24, 1993.

## CHAPTER 21

### H.P. 275 - L.D. 353

#### An Act to Amend the Charter of the North Berwick Water District

**Mandate preamble.** This measure requires one or more local units of government to expand or modify activities so as to necessitate additional expenditures from local revenues but does not provide funding for at least 90% of those expenditures. Pursuant to the Constitution of Maine, Article IX, Section 21, two thirds of all of the members elected to each House have determined it necessary to enact this measure.

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

**Whereas,** water is essential to the health and well-being of the inhabitants of the Town of North Berwick; and

**Whereas,** changes in the debt limit of the North Berwick Water District are necessary in order to begin construction on a required secondary treatment plant; 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 1981, c. 54, §9, 2nd sentence,** as amended by P&SL 1983, c. 26, §3, is further amended to read:

The district, by vote of its board of trustees; and without district vote except as otherwise provided in this section, is also authorized to issue, from time to time, bonds, notes or other evidences of indebtedness of the district in ~~the an~~ amount or amounts; not exceeding the sum of ~~\$1,500,000~~ \$3,000,000 outstanding at any one time, except for indebtedness to fund projects specifically mandated by the State Government or Federal Government, bearing interest at such a rate or rates; and having such terms and provisions as the trustees shall determine; provided that, except for not in excess of. Except in the case of indebtedness not exceeding \$800,000 in principal amount of notes and bonds at any one time outstanding to be issued by vote of the trustees without district vote for the purpose purposes of acquiring properties of the North Berwick Water Company and, making certain improvements; and for the purpose of acquiring a new water supply and making further improvements, in the case of any other votes by the trustees to authorize bonds or notes to pay for the acquisition of property, for the cost of a water system or part thereof, for renewal or additions or for other improvements in the nature of capital costs, the estimated cost of which, singly or in the aggregate included in any one financing, is \$150,000 or more, or for renewing or refunding existing indebtedness, notice of the proposed debt and of the general purpose or purposes for which it was authorized shall must be given by the clerk by publication at least once in a newspaper having a general circulation in the Town of North Berwick.

**Sec. 2. Emergency clause; referendum; effective date.** In view of the emergency cited in the preamble, this Act takes effect when approved, except that the increase of the total indebtedness from \$1,500,000 to \$3,000,000 takes effect only for the purpose of permitting its submission to the legal voters of the North Berwick Water District, resident in the district, at the next regular town or at a special town meeting to be called and held for the purpose by December 31, 1993. The election must be called, advertised and conducted according to the law related to municipal elections; 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 town clerk of the town shall prepare the required ballots, on which the town clerk shall reduce the subject matter of this Act to the following question:

"Shall the charter that created the North Berwick Water District be amended to increase the total

authorized indebtedness of the district from \$1,500,000 to \$3,000,000?"

The voters shall indicate by a cross or check mark placed against the words "Yes" or "No" their opinion of the same. This Act takes effect immediately upon its acceptance by a majority of the legal voters voting at the election.

The result of the vote must be declared by the municipal officers of the Town of North Berwick and due certificate thereof must be filed by the town clerk with the Secretary of State.

Effective pending referendum.

## CHAPTER 22

H.P. 577 - L.D. 781

### An Act to Introduce Greater Efficiency in the Provision of Certain State Services

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

**Whereas,** certain information about determining eligibility for state-funded services is critical to the review of the 1994-95 biennial budget requests; 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. Analysis of programs.** Each department and agency of State Government shall analyze all programs within that department or agency that provide a direct service to the public, other than the dissemination of routine public information, but do not charge a fee or copay for the service or use an income test in determining eligibility for the service.

**Sec. 2. Report.** Using fiscal year 1992-93 data, each department or agency of State Government is required to report to the Joint Standing Committee on Appropriations and Financial Affairs by June 1, 1993 listing the services provided to the public at no cost or without a means test; the expenditures, identified by funding source, made to support those services; the number of participants receiving those services or some other reliable measurement of service utilization; and the reasons a fee-for-service, copay or income test is not applied.

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

Effective May 27, 1993.

## CHAPTER 23

S.P. 140 - L.D. 431

### An Act to Amend the Charter of the Northern Maine Regional Planning Commission

**Mandate preamble.** This measure requires one or more local units of government to expand or modify activities so as to necessitate additional expenditures from local revenues but does not provide funding for at least 90% of those expenditures. Pursuant to the Constitution of Maine, Article IX, Section 21, two thirds of all of the members elected to each House have determined it necessary to enact this measure.

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

**Sec. 1. P&SL 1989, c. 89, §4, first ¶,** as amended by P&SL 1991, c. 31, is further amended to read:

**Sec. 4. Charter.** The following shall be the charter for the Northern Maine Regional Planning Commission, Inc. or the Northern Maine Development Commission, Inc.

**Sec. 2. P&SL 1989, c. 89, §4, sub-§2,** as amended by P&SL 1991, c. 31, is further amended to read:

**2. Name.** The commission is known as the Northern Maine Regional Planning Commission, Inc. or the Northern Maine Development Commission, Inc. and all business must be conducted under this name one of these names.

**Sec. 3. P&SL 1989, c. 89, §4, sub-§4, ¶G,** as amended by P&SL 1991, c. 31, is repealed and the following enacted in its place:

G. The officers of the commission include a chair, a vice-chair, an officer that performs the duties of secretary and clerk and a treasurer.

**Sec. 4. P&SL 1989, c. 89, §4, sub-§4, ¶¶H and I** are enacted to read:

H. The executive board has the authority, by majority vote, after 30 days' notice in writing, to exclude any member community or county from participation in the commission for failure to meet any of the requirements contained in this charter. Member communities and counties may appeal the