

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.

J.S. McCarthy Company
Augusta, Maine
1993

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE

AS PASSED AT THE

FIRST REGULAR SESSION

of the

ONE HUNDRED AND SIXTEENTH LEGISLATURE

1993

to the Method B, or weighted voting, reapportionment plan as follows.

Municipality	1990 Census	% of Pop	Total Votes	No. of Directors	Votes Per Director	% Voting Power
Lee	832	45.9	459	6	76.50	7.66%
Springfield	406	22.4	224	3	74.67	7.47%
Webster	95	5.2	52	2	26.00	2.60%
Winn	479	26.4	264	4	66.00	6.60%
TOTALS	<u>1812</u>	<u>99.9</u>	<u>999</u>	<u>15</u>		

The municipal officers of the Town of Lee shall fill the vacancies created by the increase in the number of directors from Lee from 4 to 6 by appointment and the new directors shall serve until their successors are elected and qualified at the next annual municipal election. Subsequently, directors elected to fill these 2 positions are elected for 3-year terms. Notwithstanding any provision of law to the contrary, the terms of office of the remaining members of the board of directors of Maine School Administrative District Number 30 are not affected by the reapportionment plan approved by the Commissioner of Education and enacted in this Act. Any future reapportionment of the board of directors of Maine School Administrative District Number 30 is governed by the Maine Revised Statutes, Title 20-A.

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

Effective June 7, 1993.

CHAPTER 38

H.P. 1097 - L.D. 1484

An Act to Amend the Charter of the Boothbay Harbor Water System

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 Water System, which is wholly owned by the Town of Boothbay Harbor, must take immediate action to bring the system into compliance with the federal Safe Drinking Water Act; and

Whereas, in order for the system to comply with the federal Safe Drinking Water Act, the system must construct a water treatment or purification plant adja-

cent to the system's water source at Adams Pond in Boothbay Center; and

Whereas, construction and operation of any water treatment or purification plant necessitates the acquisition of property and the use of infrastructure to convey wastewater from any such plant to the town's wastewater treatment facility in Boothbay Harbor; and

Whereas, the current charter of the system does not grant the system the authority to acquire property and to construct and use infrastructure for water purification or for the conveyance of wastewater; and

Whereas, the interests of the system and the inhabitants of the Town of Boothbay Harbor would best be served if the charter of the system is immediately amended to grant the system the requisite authority to enable construction and operation of a water treatment or purification 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 1895, c. 56, §2, as amended by P&SL 1937, c. 52, §1, is further amended to read:

Sec. 2. Authority to convey and sell and purify water; authority to convey wastewater. Said The town is further authorized and empowered, in case it obtains control of said the corporation either directly by purchase, or indirectly through ownership of stock, to take water from Adams pond in the town of Boothbay or from any other ponds or supply within said in the towns of Boothbay and, Boothbay Harbor and Southport, sufficient for all domestic, sanitary, municipal and commercial purposes, to perform such operations and procedures as may be necessary to ensure the purity of any water so taken, including constructing and operating water treatment and purification facilities, and to take and convey the same, through the towns of Boothbay and, Boothbay Harbor, Southport and to Squirrel Island, Mouse Island and other adjacent islands. Said The town is also authorized and empowered, to sell water to the town towns of Boothbay and Southport, to the Village Corporation of Squirrel Island and to any company, individual, firm or corporation in the towns of Boothbay and, Boothbay Harbor; and Squirrel Island Southport. The town is also authorized to convey through the towns of Boothbay, Boothbay Harbor and Southport such wastewater as may be produced in the operation of any water treatment or purification facility.

Sec. 2. P&SL 1895, c. 56, §3, as amended by PL 1973, c. 625, §282, is further amended to read:

Sec. 3. Powers. ~~Said~~ The town of Boothbay Harbor shall have has the power, and is hereby authorized to survey for, lay, erect and maintain suitable dams, reservoirs, aqueducts, pipes, hydrants, buildings, treatment or purification plants, pumping equipment and fixtures for flowage, power, and for pumping its water supply or for conveying wastewater produced in the operation of a treatment or filtration facility through its mains and to enter upon any land or public way for laying, erecting and maintaining such the pipes and structures, and to make surveys for the same and to pass over, excavate and flow any lands. ~~Said~~ The town is hereby authorized to take and hold for such public uses by purchase, eminent domain or otherwise, any land that may be necessary for supplying water, treating or purifying water, conveying wastewater and laying and maintaining its ~~said~~ pipe lines, and constructing other structures, for preserving the purity of its watershed, for ensuring the purity of its water supply, for rights of way or roadways to its sources of supply, dams, power stations, reservoirs, mains, aqueducts, structures and land, and hold all real estate and personal property necessary or convenient therefor.

~~Said~~ The town is hereby authorized to issue its general obligation securities for the purposes hereof in such amounts and upon such terms as it may for municipal purposes under the provisions of Maine Revised Statutes, Title 30 30-A, section 5152 5772. All actions previously taken by the Town of Boothbay Harbor relative to the issuance of bonds or notes and by its municipal officers together with the board of water commissioners for the above purposes are hereby confirmed, validated and made effective.

Sec. 3. P&SL 1895, c. 56, §7, as amended by P&SL 1967, c. 62, is further amended to read:

Sec. 7. Board of water commissioners; duties; compensation; town manager, powers and duties. ~~Said~~ The town is hereby authorized to elect by ballot a board of water commissioners consisting of 3 persons, the first 3 chosen to serve one for one year, one for 2 years and one for 3 years and thereafterwards after the initial election one commissioner ~~shall be~~ is elected annually in the month of ~~March~~ May to serve a term of 3 years. The water commissioner who receives the largest number of votes cast at the first election shall hold office for 3 years. The water commissioner who receives the next largest number of votes cast at the first election shall hold office for 2 years, and the water commissioner who receives the next largest number of votes cast at the first election shall hold office for one year, and shall serve until their successors are elected and qualified. If a commissioner resigns from office or the office is otherwise vacated, the board of selectmen of the Town of Boothbay Harbor may appoint a new commissioner to serve until the next annual election in May, when a commissioner is elected to serve for the remaining term of the departed commissioner, unless the term has come to an end, in which case the commissioner is elected in the

normal course for a 3-year term. ~~Said~~ The commissioners are authorized to fix the water rates and determine the conditions and the manner of the water supply; and ~~shall~~ have the general control and management of the water system owned by the town. ~~They shall~~ The commissioners are entitled to receive such compensation for their services as may be fixed by the town. ~~Whenever said~~ When the town shall vote votes to employ a town manager, but not in union with one or more other towns, ~~said the town manager shall be~~ is the administrative head of the water system and responsible to the water commissioners. ~~His~~ The town manager's powers and duties in connection ~~therewith shall be~~ with the water system are the same as in the management of the municipal affairs of the town so far as applicable. Purchases and disbursements ~~shall be~~ are made by the town manager on vouchers signed by a majority of the commissioners.

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

Effective June 7, 1993.

CHAPTER 39

S.P. 464 - L.D. 1456

An Act to Make Allocations from Maine Turnpike Authority Funds for the Maine Turnpike Authority for the Fiscal Year Ending December 31, 1994

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

Sec. 1. Allocation of funds of the Maine Turnpike Authority. Gross revenues of the Maine Turnpike Authority for the fiscal year ending December 31, 1994 must be segregated, apportioned and disbursed as designated in the following schedule.

1993-94

MAINE TURNPIKE AUTHORITY

Debt Service Fund

All Other	\$2,036,308
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Reserve Maintenance Fund

All Other	8,800,000
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Administration

Personal Services	384,101
All Other	1,561,945

TOTAL	1,946,046
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