

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

find the development of those facilities feasible or appropriate, it shall present its findings to the Joint Standing Committee on Human Resources by January 1, 1994, along with an alternative plan that specifies how the needs of Pineland Center residents will be met as the department's plan for Pineland Center evolves. The plan must identify the projected level of care needed by the residents; any gaps in community services including but not limited to recreation, crisis intervention and respite care; barriers to successful community living; the schedule for developing needed community services; and the level of services the department expects to offer at Pineland Center over the next 2 to 5 years.

Sec. 2. Transition for Pineland Center employees. The Department of Mental Health and Mental Retardation shall work with the Department of Labor to provide transition assistance to employees who are displaced by staff reductions at Pineland Center. Every practical effort, including but not limited to job training and placement services, must be made to assist the employees in finding other employment.

Sec. 3. Economic redevelopment. The Department of Mental Health and Mental Retardation, the Department of Economic and Community Development and the State Planning Office shall make every practical effort to seek economic redevelopment assistance for the areas affected by the reduction in capacity of Pineland Center. Federal funds or other funds must be sought. The Department of Mental Health and Mental Retardation and the Department of Economic and Community Development shall collaborate with local officials from the affected areas in seeking this assistance.

See title page for effective date.

CHAPTER 42

H.P. 1127 - L.D. 1526

An Act to Amend the Charter of the Oxford 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 Oxford; and

Whereas, changes in the debt limit of the Oxford Water District are necessary in order to expand and improve facilities; 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. 41, §10, first ¶ is amended to read:

Sec. 10. Authorized to borrow money, to issue bonds and notes. For accomplishing the purposes of this act, and for such other expenses as may be necessary for the carrying out of said purposes, said district, through its trustees, without vote of the inhabitants, is authorized to borrow money temporarily and to issue therefor its negotiable notes; and for the purpose of renewing and refunding the indebtedness so created, of paying any necessary expenses and liabilities incurred under the provisions of this act, including organizational and other necessary expenses and liabilities whether incurred by the district or the Town of Oxford, the district being authorized to reimburse said Town of Oxford for any such expense incurred by it and in acquiring properties, paying damages, laying pipes, mains, aqueducts and conduits, constructing, maintaining and operating a water plant or system and making renewals, additions, extensions and improvements to the same and to cover interest payments during the period of construction, said district, through its trustees, without the vote of its inhabitants, is also authorized to issue, from time to time, bonds, notes or other evidences of indebtedness of the district in one series, or in separate series, in such amount or amounts, bearing interest at such rate or rates, and having such terms and provisions as the trustees shall determine; provided the total indebtedness of the said district ~~shall~~ may not exceed the sum of \$300,000 \$1,500,000 at any one time outstanding.

Sec. 2. Emergency clause; referendum; effective date. 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 of the Oxford Water District, resident in the district, at the next regular town meeting 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 laws 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:

“Do you favor amending the charter that created the Oxford Water District to increase the total authorized indebtedness of the district from \$300,000 to \$1,500,000?”

The voters shall indicate by a cross or check mark placed against the word “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 Oxford and due certificate thereof must be filed by the town clerk with the Secretary of State.

Effective pending referendum.

CHAPTER 43

H.P. 1006 - L.D. 1352

An Act to Abolish the Castine Water District

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

Sec. 1. P&SL 1961, c. 67, as amended by P&SL 1989, c. 98, §§1 to 3, is repealed.

Sec. 2. Town of Castine's acquisition of property of Castine Water District. The Town of Castine acquires, under the terms contained in this Act, all, and not less than all, of the plant, properties, assets, franchises, rights and privileges owned by the Castine Water District including, without limitation, lands, buildings, waters, water rights, springs, wells, reservoirs, tanks, standpipes, mains, pumps, pipes, machinery, fixtures, hydrants, meters, services, tools, equipment and appliances used or useful in supplying water for domestic, sanitary, commercial, industrial and municipal purposes. The consideration paid for them is the assumption by the Town of Castine of all of the outstanding debts, obligations and liabilities of the Castine Water District including, without limitation, the assumption by the Town of Castine of any outstanding notes or bonds of the Castine Water District that are due on or after the date of transfer.

Sec. 3. Castine Water District required to sell property to the Town of Castine. The Castine Water District, a quasi-municipal corporation organized and existing pursuant to Private and Special Law 1961, chapter 67, under the terms contained in this Act, shall sell, transfer and convey to the Town of Castine by appropriate instruments of conveyance all, and not less than

all, of its plants, properties, assets, franchises, rights and privileges including, without limitation, lands, buildings, waters, water rights, springs, wells, reservoirs, tanks, standpipes, mains, pumps, pipes, machinery, fixtures, hydrants, meters, services, tools, equipment and appliances used or useful in supplying water for domestic, commercial, industrial and municipal purposes, in consideration of the assumption by the Town of Castine of all of the outstanding debts, obligations and liabilities of the Castine Water District including, without limitation, the assumption of any outstanding notes or bonds of the Castine Water District that are due on or after the date of the transfer.

Sec. 4. Approval of Public Utilities Commission. The sale and transfer by the Castine Water District to the Town of Castine of its plant, properties, assets, franchises, rights and privileges and the assumption by the Town of Castine of all of the outstanding debts, obligations and liabilities of the Castine Water District pursuant to sections 2 and 3 and the subsequent use of the plants, properties, assets, franchises, rights and privileges by the Town of Castine within the limits of the Town of Castine are subject to the approval of the Public Utilities Commission as may be required by the Maine Revised Statutes, Title 35-A, Part 1.

Sec. 5. Contracts of Castine Water District assumed by the Town of Castine. All contracts between the Castine Water District and any person, firm or corporation relating to supplying water that are in effect on the date of the transfer by the Castine Water District to the Town of Castine are assumed and carried out by the Town of Castine.

Sec. 6. Dissolution and termination of Castine Water District; pledge of revenues. If and when all debts, obligations and other liabilities of the Castine Water District have been paid in full and discharged or the holders or owners of all debts, obligations and other liabilities that have not been paid in full and discharged have assented to the assumption thereof by the Castine Water District and to the novation and substitution of the Town of Castine as obligor in respect thereto in place of the Castine Water District and, when the transfer of property pursuant to section 3 is complete, the clerk of the Castine Water District shall file a certificate to that effect with the Secretary of State and the corporate existence of the Castine Water District terminates. Until the corporate existence of the Castine Water District is terminated pursuant to this section, the gross revenues derived by the Town of Castine from the sale of water within the area comprising the former limits of the district must be applied first to the payment of expenses and 2nd to payments of debts, obligations and other liabilities of the Castine Water District assumed by the Town of Castine pursuant to this Act.

Sec. 7. Referendum; effective date. The municipal officers of the Town of Castine may submit this