

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals  
(may include minor formatting differences from printed original)

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

**AS PASSED BY THE**  
**ONE HUNDRED AND SIXTEENTH LEGISLATURE**

**SECOND REGULAR SESSION**

**January 5, 1994 to April 14, 1994**

**THE GENERAL EFFECTIVE DATE FOR**  
**SECOND REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**JULY 14, 1994**

**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**

of the Maine Revised Statutes, Title 30-A, section 5701. The said district may, from time to time, issue in one series or in separate series, its bonds, notes and other evidences of indebtedness, for the purpose of paying, redeeming or refunding outstanding bonds, notes or evidences of indebtedness, and each authorized issue ~~shall constitute~~ constitutes a separate loan. All bonds, notes and evidences of indebtedness issued by said district ~~shall be~~ are legal investments for savings banks in the State of ~~Maine~~ and ~~shall be~~ are tax exempt. The said district is ~~hereby~~ authorized and empowered to enter into agreements with the State or Federal Government, or any agency of either, or any corporation, commission or board authorized by the State or Federal Government to grant or loan money to or otherwise assist in the financing of projects such as the district is authorized to carry out, and to accept grants and borrow money from any such government agency, corporation, commission or board as may be necessary or desirable to enforce this act.

**Sec. 2. P&SL 1963, c. 146, §28** is enacted to read:

**Sec. 28. Authorized to acquire property and franchises of Waldoboro Water Company.**

The district, through its trustees, may acquire by purchase the entire plant, properties, franchises, rights and privileges owned by the Waldoboro Water Company, including all lands, waters, water rights, reservoirs, pipes, machinery, fixtures, hydrants, tools and all apparatus and appliances used or usable in supplying water in the area of the district.

**Sec. 3. 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 Waldoboro Utility District at an election to be called and held for the purpose by December 31, 1994. The election must be called by the municipal officers and must be held at the regular voting places. The election must be called, advertised and conducted according to the law relating to the municipal elections; except that the board of registration is not required to prepare nor the town clerks to post a new list of voters, and for this purpose the board of registration must be in session on the 3 working days next preceding the elections, the first and 2nd days to be devoted to registration of voters and the last day to enable the board to verify the corrections of the lists and to complete and close their records of the session. The town clerk shall reduce the subject matter of this Act to the following questions:

Question A: "Do you favor amending the Waldoboro Utility District charter by changing the debt limit of the district from \$1,000,000 to 3% of the Town of Waldoboro's state valuation?"

Question B: "Do you favor allowing the Waldoboro Utility District to purchase the assets of the Waldoboro Water Company?"

Section 1 of this Act takes effect for all purposes immediately upon acceptance of Question A by a majority of the legal voters voting at the election, but only if the total number of votes cast for and against its acceptance exceeds 10% of the registered voters of the district, but failure of approval does not prevent subsequent elections held prior to December 31, 1994. Section 2 of this Act takes effect for all purposes immediately upon acceptance of Question B by a majority of the legal voters voting at the election, but only if the total number of votes cast for and against its acceptance exceeds 10% of the registered voters of the district, but failure of approval does not prevent subsequent elections held prior to December 31, 1994.

The results of the elections must be declared by the municipal officers of the town and due certificates of the elections must be filed by the town clerk with the Secretary of State.

Effective pending referendum.

---



---

## CHAPTER 63

H.P. 1181 - L.D. 1579

**An Act to Make Additional Allocations from the Public Utilities Commission Regulatory Fund for the Fiscal Years Ending June 30, 1994 and June 30, 1995**

**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 incident to the operations of the Public Utilities Commission will become due and payable prior to the expiration of the 90-day period; 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. Allocation.** The following funds are allocated from the Public Utilities Commission Regulatory Fund to carry out the purposes of this Act.

	1993-94	1994-95
<b>PUBLIC UTILITIES COMMISSION</b>		
<b>Public Utilities - Administrative Division</b>		
All Other	\$150,264	\$50,000
Provides funding for consulting services and software installation associated with replacement of computer system.		
<b>Public Utilities - Administrative Division</b>		
Capital Expenditures	30,000	150,000
Provides funding for replacement of desktop computers and computer system.		
<b>PUBLIC UTILITIES COMMISSION</b>		
<b>TOTAL</b>	\$180,264	\$200,000

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

Effective March 9, 1994.

---

**CHAPTER 64**

**H.P. 1221 - L.D. 1640**

**An Act to Authorize the Towns of  
Appleton, Camden, Hope,  
Lincolntonville and Rockport to Form a  
Community School 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,** the inhabitants of the Towns of Appleton, Camden, Hope, Lincolntonville and Rockport have indicated in the passing of resolutions and the appropriating of money a desire to form, in 1994, a community school district for the 5 towns and School Administrative District 28 for grades 9 to 12; and

**Whereas,** the operational school year for the community school district, unless otherwise provided for, will begin July 1st after the organization of the community school district as required by the Maine Revised Statutes, Title 20-A, section 1604; and

**Whereas,** it is in the interest of the 5 towns and School Administrative District 28, which is currently providing education for grades 9 to 12, to have adequate planning and preparatory time to create; and

**Whereas,** to put into operation a new community school district with a new school and to ensure an orderly transition consistent with school year and fiscal year requirements and statutory time limits for the conducting of local referenda and elections; 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. Authorization.** The inhabitants of the Towns of Appleton, Hope and Lincolntonville and School Administrative District 28 are authorized to form a community school district in accordance with the Maine Revised Statutes, Title 20-A, chapter 105 and upon the terms of this Act.

**Sec. 2. Continued existence.** School Administrative District 28 continues to consist of the inhabitants of the Towns of Camden and Rockport for the purpose of owning and operating elementary schools for students in Kindergarten and grades one to 8 notwithstanding the provisions of the Maine Revised Statutes, Title 20-A, section 1258. The State Board of Education shall issue an amended certificate of organization for School Administrative District 28 effective July 1st of the first operational year of the community school district provided for in this Act which is conclusive evidence of the lawful organization of School Administrative District 28. School Administrative District 28 continues to receive school subsidy for grades 9 to 12 from the Department of Education, general purpose aid to local schools program until the first operational year of the community