

# MAINE STATE LEGISLATURE

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**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.**

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**J.S. McCarthy Company**  
**Augusta, Maine**  
**1993**

**CHAPTER 65****H.P. 435 - L.D. 554****An Act to Establish a Pilot Project to Mediate Certain Environmental Disputes****Be it enacted by the People of the State of Maine as follows:**

**Sec. 1. Pilot project.** The Department of Environmental Protection shall undertake a pilot project to evaluate the use of mediation to assist in resolving disputes among numerous parties involving the cleanup of designated and undesignated uncontrolled hazardous waste sites and the allocation of clean-up expenses among responsible parties. The department may not mediate law enforcement matters without the approval of the Attorney General. The pilot project must be completed by June 1, 1996.

**Sec. 2. Report.** The Department of Environmental Protection shall report the status of the pilot project to the joint standing committee of the Legislature having jurisdiction over natural resources matters no later than January 1, 1996 and shall provide a final report evaluating the use of mediation no later than November 1, 1996.

**Sec. 3. Use of alternative dispute resolution.** This Act may not be construed to limit the ability of the Department of Environmental Protection to use alternative dispute resolution techniques when the department determines those techniques are appropriate, provided that the department obtains approval of the Attorney General to use alternative dispute resolution techniques to resolve disputes involving law enforcement matters.

See title page for effective date.

**CHAPTER 66****H.P. 1237 - L.D. 1664****An Act to Increase the Debt Limit for the Richmond Utilities 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, it is necessary that this legislation be enacted as an emergency in order for the Richmond Utilities District to immediately borrow money to upgrade 2 pump stations and to construct new sewers and storm drains to correct a seriously overloaded wastewater 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 1961, c. 154, §14-A,** as enacted by P&SL 1979, c. 39, §3, is amended by amending the first sentence to read:

For accomplishing the purpose of this Act, the district, by vote of its board of trustees, without district vote except as ~~hereinafter~~ provided, is ~~hereby~~ 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, and in acquiring properties, paying damages, laying pipes, mains, sewers, drains and conduits, purchasing, constructing, maintaining and operating a water system and a sewerage system and making renewals, additions, extensions and improvements to such systems and to cover interest payments during ~~any~~ the period of construction, ~~said~~ the Richmond Utilities District, by votes of its board of trustees, without district vote except as ~~hereinafter~~ provided, is also ~~hereby~~ authorized to issue, from time to time, bonds, notes or other evidences of indebtedness of the district in such amount or amounts, bearing interest at such rate or rates, and having such terms and provisions as the trustees ~~shall~~ determine; ~~provided~~ except that the total indebtedness of the district ~~shall~~ may not exceed the sum of ~~\$1,500,000~~ \$3,000,000 at any one time outstanding and ~~provided, further, that~~ in the case of a vote by the trustees to authorize bonds or notes to pay for the acquisition of property, except for the original acquisition of property of Richmond Water Works, for the cost of a water system or sewerage system or part ~~thereof~~ of a water system or sewerage system, for renewals 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 \$30,000 or more, but not for renewing or refunding existing indebtedness

or to pay for maintenance, repairs or for current expenses, 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 Richmond.

**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 Richmond Utilities 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, 1994. 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 Richmond Utilities 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 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 Richmond and due certificate thereof must be filed by the town clerk with the Secretary of State.

Effective pending referendum.

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## CHAPTER 67

H.P. 1288 - L.D. 1736

### **An Act to Change Statutory References to the Maine Teachers Association to the Maine Education Association**

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

**Sec. 1. Revision clause.** Wherever in the Maine Revised Statutes the words "Maine Teachers Association" appear or reference is made to those words, they are amended to read and mean the "Maine Education Association" and the Revisor of Statutes shall implement this revision when updating, publishing or republishing the statutes.

See title page for effective date.

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## CHAPTER 68

H.P. 1331 - L.D. 1794

### **An Act to Provide Adequate Staffing for the Board of Osteopathic Examination and Registration**

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

**Sec. 1. Allocation.** The following funds are allocated from Other Special Revenue to carry out the purposes of this Act.

1994-95

### **PROFESSIONAL AND FINANCIAL REGULATION, DEPARTMENT OF**

#### **Board of Osteopathic Examination and Registration**

Positions	(0.5)
Personal Services	\$15,700

Provides funds to increase an Executive Secretary position from 1/2-time to full-time in order to accommodate the board's need for administrative support.

See title page for effective date.

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## CHAPTER 69

H.P. 1334 - L.D. 1797

### **An Act to Amend the Charter of the Madison Water District**

**Mandate preamble.** This measure requires one or more local units of government to expand or modify activities so as to necessitate additional ex-