

# 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**

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-

penditures 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 1913, c. 121, §7**, as amended by P&SL 1943, c. 43, §1, is repealed and the following enacted in its place:

**Sec. 7. Board of trustees; election, records, terms, etc.** All the affairs of the district are managed by a board of trustees of 3 members to be elected by a plurality vote of the legal voters in the Town of Madison. Trustees serve for a term of 3 years.

Nominations and elections must be conducted in accordance with the laws relating to municipal elections and elections must be held on the same day as municipal elections are held in the Town of Madison.

Whenever the term of office of a trustee expires, the trustee's successor must be elected by a plurality vote by the legal voters of the district for a term of 3 years. If a vacancy arises, it must be filled for the remainder of the year by appointment by the remaining trustees and at the next regular meeting of the district the vacancy must be filled for the unexpired term by a special election to be called by the trustees of the district.

One week after each annual election, the trustees shall meet for the purpose of electing a chair to serve for the ensuing year or until a successor is elected and qualified. At the same meeting, the trustees shall elect a treasurer who need not be a member of the board of trustees. The trustees may hire and fix the compensation of officers and agents, who serve at the pleasure of the trustees. The treasurer shall furnish bond in the sum and with sureties as approved by the trustees. The district shall pay the cost of the bond.

The trustees are sworn to the faithful performances of their duties, which include the duties of any member who serves as clerk or clerk pro tem. The trustees shall make and publish an annual report, including a report of the treasurer.

The trustees may adopt and establish bylaws necessary for the proper management of the affairs of the district and perform other acts within the powers delegated to them by law.

All records of the meetings and other business of the district must be kept by the town clerk of the Town of Madison.

The trustees are entitled to compensation recommended by the trustees and approved by a majority of the municipal officers of the Town of Madison, including compensation for duties performed as officers. Compensation for duties as trustees must be on the basis of a specific amount specified in the bylaws for each meeting actually attended and reimbursement for travel and expenses, with a total not to exceed an amount specified in the bylaws.

**Sec. 2. Transition; trustees.** The trustees who are in office at the time of the effective date of this Act shall continue to serve until their terms expire.

See title page for effective date.

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## CHAPTER 70

### H.P. 964 - L.D. 1295

#### An Act to Amend the Laws Pertaining to the Protestant Episcopal Church

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

**Sec. 1. P&SL 1849, c. 229, §1**, as amended by P&SL 1967, c. 31, §1, is further amended to read:

**Sec. I. Amount of real and personal estate that may be held.** The trustees of the diocesan funds in the diocese of Maine shall have power to take and hold real and personal estate contributed for parochial endowments or other church purposes, ~~to the amount of \$8,000,000,~~ and to manage and dispose of the same in accordance with the terms of the several gifts, grants or endowments, ~~and in.~~ In accordance with the statutory authority conferred upon the trustees, and said the trustees shall keep an account with each endowment or gift comprising said the fund; and shall report their doings actions in managing the same fund and the condition thereof, of the fund to the convention of the diocese annually.

**Sec. 2. P&SL 1869, c. 180, §2**, as repealed and replaced by P&SL 1977, c. 11, §1, is amended to read:

**Sec. 2. Meetings must be held at such time as the parish designates.** ~~Said~~ The agreement shall must also contain, first, the name or title by which the parish shall be is known, which shall must be as follows, namely: The rector, wardens and vestrymen vestry of ..... church in .....; but no parish shall may be organized in any town or city, bearing the same name with any other Protestant Episcopal church already organized therein; second, in that town or city; the town or city and county in which it is