

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND SEVENTEENTH LEGISLATURE

FIRST REGULAR SESSION
December 7, 1994 to June 30, 1995

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 29, 1995

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
1995

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

Sec. 1. P&SL 1967, c. 83, first ¶ is repealed and the following enacted in its place:

Sec. 1. Beal College to confer associate degrees. Beal College, an educational institution located in Bangor, in the County of Penobscot, is authorized by appropriate action of its directors to confer upon all who satisfactorily complete the 2-year course of instruction as those directors may prescribe, within the scope customarily established by colleges offering such a curriculum, the degree of Associate of Science.

See title page for effective date.

CHAPTER 7

H.P. 44 - L.D. 38

An Act to Amend the Charter of the Sewer District of the Town of Kennebunk by Expanding Its Territorial Limits

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, this legislation requires referendum approval before it can take effect; and

Whereas, this referendum is connected with the Kennebunk town meeting to be held on June 13, 1995; and

Whereas, unless this Act is enacted before that date, the referendum will require a special election, which would be a considerable financial burden on the Town of Kennebunk; and

Whereas, this Act must take effect as soon as possible; 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 preserva-

tion 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 1955, c. 69, §1 is further amended to read:

Sec. 1. Territorial limits. The territory, and the inhabitants ~~therein~~, of the Town of Kennebunk ~~which is~~ situated between the Atlantic Ocean and the southeasterly side of the Maine Turnpike and the territory of the Town of Kennebunk situated on the northwesterly side of the Maine Turnpike and described on the March 1994 Town of Kennebunk tax maps as follows: Map 36, Lot 5; Map 36, Lot 6; P/O 36, Lot 7; P/O 36, Lot 7A; Map 36, Lot 7B; P/O 37, Lot 5; Map 45, Lot 18; Map 45, Lot 18A; Map 45, Lot 19; P/O 45, Lot 14; P/O 78, Lot 18; Map 88, Lot 15; Map 88, Lot 24; Map 88, Lot 24A; Map 88, Lot 24B; Map 89, Lot 1; Map 89, Lot 20 and the inhabitants of that territory is hereby made and declared to be are a public sewerage district and a body politic and corporate under the name of "Kennebunk Sewer District" ~~and shall be~~ which is a system of public sewerage constructed, maintained and operated for the public health and welfare and for the benefit of ~~said~~ the residents and of the property ~~therein in the town~~ served by ~~said~~ the sewerage facility, in the manner, with the rights, duties and immunities ~~hereinafter in this act set forth~~ described in this Act.

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 within the Kennebunk Sewer District at the next regular town election to be held on June 13, 1995 or at a special town meeting to be called and held for the purpose within 3 months of the approval of this Act. This election must be called, advertised and conducted according to the law relating to municipal elections, except that the registrar of voters is not required to prepare or the town clerk to post a new list of voters. For the purpose of registration of voters, the registrar of voters must be in session on the secular day next preceding the 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 expanding the territory of the Kennebunk Sewer District to include the industrial zone of the Town of Kennebunk located on the northwesterly side of the Maine Turnpike?"

The voters shall indicate by a cross or check mark placed against the words "Yes" or "No" their opinion of the same.

The results must be declared by the municipal officers of the Town of Kennebunk and due certificate of the results filed by the town clerk with the Secretary of State.

This Act takes effect immediately upon its acceptance by a majority of the legal voters voting at the election.

Effective pending referendum.

CHAPTER 8

H.P. 29 - L.D. 23

An Act to Increase the Debt Limit of the West Paris 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, the West Paris Water District needs to incur debt greater than that allowed under its current charter as soon as possible in order to finance certain necessary capital improvements to ensure the adequate supply of safe water for the people served by the district; 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 1963, c. 83, §10, first ¶ is amended to read:

For accomplishing the purposes of this act, and for such other expenses as may be necessary for the carrying out of ~~said these~~ purposes, ~~said the~~ 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 West Paris, the district being authorized to reimburse ~~said the~~ Town of West Paris 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 the~~ 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 outstanding indebtedness of the ~~said~~ district ~~shall~~ may not exceed ~~the sum of \$300,000~~ \$1,000,000 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 within the West Paris Water District at a special or regular town meeting or election held prior to December 31, 1995. The election must be called, advertised and conducted according to the law relating to municipal elections, except that the registrar of voters is not required to prepare or the town clerk to post a new list of voters. The registrar of voters must be in session on the secular day next preceding the 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 increasing the debt limit of the West Paris Water District from \$300,000 to \$1,000,000?"

The voters shall indicate by a cross or check mark placed against the words "Yes" or "No" their opinion on the question.

The results must be declared by the municipal officers of the Town of West Paris and due certificate of the results filed by the town clerk with the Secretary of State.

This Act takes effect immediately upon its acceptance by a majority of the legal voters voting at the election.

Effective pending referendum.