

# 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**  
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**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**  
**1995**

**CHAPTER 9****H.P. 32 - L.D. 26****An Act to Amend the Charter of the  
Kingfield Water District**

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

**Sec. 1. P&SL 1951, c. 103, §6**, as amended by P&SL 1983, c. 77, is repealed and the following enacted in its place:

**Sec. 6. Board of trustees; election; powers and duties.** The affairs of the district are managed by the board of trustees. The organization, powers and duties, compensation and retirement of the trustees are as provided in the Maine Revised Statutes, Title 35-A, section 6303, subsections 3, 4 and 5. The board of trustees consists of 5 trustees who serve 3-year terms. The annual meeting of the inhabitants of the district is on the same day as the annual town meeting of the Town of Kingfield. At each annual meeting of the district, the voters of the district shall elect a trustee or trustees, each to hold office for a term of 3 years. The procedures for nomination and election of a trustee are as provided in Title 35-A, section 6303, subsection 2. Each trustee holds office until a qualified successor is elected and signifies acceptance of the office. In the case of the resignation or disqualification of a trustee or the inability of a trustee to serve, the selectmen of the Town of Kingfield shall declare a vacancy in the office and select a new trustee to serve the balance of the term. A person is disqualified to serve as trustee if that person's principal place of residence is outside the district or the person is a member of the board of selectmen of the Town of Kingfield.

**Sec. 2. P&SL 1951, c. 103, §7** is repealed.

**Sec. 3. Application.** This Act does not alter the terms of trustees serving on the effective date of this Act.

See title page for effective date.

**CHAPTER 10****S.P. 151 - L.D. 337****An Act to Increase the Debt Limit of  
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 amended by P&SL 1993, c. 66, §1, 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 provided, is authorized to borrow money temporarily and to issue its negotiable notes; and for the purpose of renewing and refunding the indebtedness so created, of paying 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 the period of construction, the Richmond Utilities District, by votes of its board of trustees, without district vote except as provided, is also 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 determine; except that the total indebtedness of the district may not exceed the sum of ~~\$1,500,000~~ \$2,000,000 at any one time outstanding and 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 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 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 only for the purpose of permitting its submission to the legal voters of the Richmond Utilities District at the next regular town or at a special town meeting to be called and held for that purpose. The election must be called, advertised and conducted according to the law related to municipal elections except 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 of the Richmond Utilities District by changing the debt limit of the district from \$1,500,000 to \$2,000,000?"

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 11

### H.P. 260 - L.D. 362

#### **An Act to Expand the Boundaries of the Presque Isle Water District and the Presque Isle Sewer 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.

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

**Sec. 1. P&SL 1937, c. 80, §4,** as repealed and replaced by P&SL 1987, c. 34, §1, is repealed and the following enacted in its place:

**Sec. 4. Territorial limits; name; purposes.** The inhabitants and territory of the City of Presque Isle constitute a quasi-municipal corporation under the name of "Presque Isle Sewer District" for the purpose of providing in that district a system of public sewerage and drainage for the comfort, convenience and health of the inhabitants of the district.

**Sec. 2. P&SL 1941, c. 67, §1,** as amended by P&SL 1987, c. 34, §2, is repealed and the following enacted in its place:

**Sec. 1. Territorial limits; name; purposes.** The inhabitants and territory of the City of Presque Isle constitute a quasi-municipal corporation under the name of "Presque Isle Water District" for the purpose of providing the inhabitants of that district with potable water for domestic, sanitary, commercial and municipal purposes.

**Sec. 3. Referendum; effective date.** This Act must be submitted to the legal voters of the City of Presque Isle at a special election or elections to be called and held for such purpose. The dates of the elections must be determined by the municipal officers, but the first election may not be later than December 1, 1995. These special elections must be called, advertised and conducted according to the law relating to municipal elections; provided, however, that the municipal officers of the City of Presque Isle are not required to prepare for posting, nor the City 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 referendum.

The City Clerk shall reduce the subject matter of this Act to the following questions:

- (1) "Do you favor revision of the charter of the Presque Isle Sewer District to expand the territory of the district to the existing territorial boundary lines of the City of Presque Isle?"
- (2) "Do you favor revision of the charter of the Presque Isle Water District to expand the territory of the district to the existing territorial boundary lines of the City of Presque Isle?"