

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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TITLE 3, SECTION 163-A, SUBSECTION 4

J.S. McCarthy Company
Augusta, Maine
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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.

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?"

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

Section 1 of this Act takes effect for all purposes immediately upon the acceptance of the question of extension of the sewer district boundaries by a majority of the legal voters of the City of Presque Isle voting at the election, but only if the total number of votes cast for and against the acceptance of this Act in the special election equals or exceeds 10% of the registered voters of the city. In the event acceptance does not occur solely due to the failure of the necessary threshold percentage of voters participating in the special election, such failure does not prevent subsequent elections.

Section 2 of this Act takes effect for all purposes immediately upon the acceptance of the question of extension of the water district boundaries by a majority of the legal voters of the City of Presque Isle voting at the election, but only if the total number of votes cast for and against the acceptance of this Act in the special election equals or exceeds 10% of the registered voters of the city. In the event acceptance does not occur solely due to the failure of the necessary threshold percentage of voters participating in the special election, such failure does not prevent subsequent elections.

The results of the elections must be declared by the municipal officers of the city and due certificates thereof must be filed by the City Clerk with the Secretary of State.

Effective pending referendum.

CHAPTER 12

H.P. 128 - L.D. 176

An Act Relating to the Conferral of Degrees by the Research Institute for Mathematics

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

Sec. 1. Research Institute for Mathematics; conferring degrees. The Research Institute for Mathematics, by appropriate action of its board of directors, may confer upon those who successfully complete such requirements as the board of directors may prescribe the degree of Doctor of Philosophy in Mathematics.

See title page for effective date.

CHAPTER 13

S.P. 355 - L.D. 983

An Act to Authorize the Towns of Mechanic Falls, Minot and Poland 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 school committees of the towns of Mechanic Falls, Minot and Poland have indicated a desire to form, in 1995, a community school district for the 3 towns for grades 7 to 12; and

Whereas, the current schools in the towns of Mechanic Falls, Minot and Poland are in need of additions; and

Whereas, it is in the interest of the 3 towns, which are currently providing education for grades 9 to 12 in Poland and Minot and grades 10 to 12 in Mechanic Falls, through tuition agreements that have been terminated by the receiving school starting the fall of 1996 and non-renewed, to have adequate planning and preparatory time to create a community school district; 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 necessary 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,