

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

ventures with providers or professionals offering health care services either within the district or elsewhere for the purpose of offering health care services to persons either within the district or elsewhere.

In effectuating any of the purposes of this section or any of the other purposes permitted to be engaged in by the district, the district may, subject to the provisions of this Act, as amended and supplemented from time to time, acquire real or personal property or any interest therein either within the district or elsewhere, on either a temporary or long-term basis by gift, purchase, transfer, foreclosure, lease or otherwise, including rights or easements; hold, manage, operate, sell, assign, lease, encumber, mortgage or otherwise dispose of any real or personal property or any interest therein, or mortgage interest owned by it under its control, custody or in its possession and release or relinquish any right, title, claim, lien, interest, easement or demand however acquired; apply for and accept from any source grants, loans, advances and contributions of money, property, labor or other things of value, to be held, used and applied for permitted purposes; lease or rent any lands, buildings, structures, facilities or equipment from private parties to effectuate the purposes permitted to be engaged in by the district, including construction agreements, purchase or acquisition agreements, partnership agreements, including limited partnership agreements, joint ventures, participation agreements or agreements with leasing corporations or other financial intermediaries.

Sec. 2. P&SL 1973, c. 76, §2, 2nd sentence, as repealed and replaced by P&SL 1987, c. 85, §2, is amended to read:

They shall be responsible for providing, in whole or in part, physical facilities for a hospital system and, where necessary or desirable, physical facilities for affiliated organizations either within the district or elsewhere, equipped and staffed to meet needed health care services for the inhabitants of the district and any persons outside the district who may seek or require medical care.

Sec. 3. P&SL 1973, c. 76, §13, last ¶ is amended to read:

If this Act takes effect by the acceptance as outlined in the preceding paragraph and one or more of the other towns or plantations fails to accept the same, the district shall not include the territory and inhabitants of such other town or plantation and such town or plantation shall have no right to be represented by a director on the board ~~nor be entitled to the benefits hereof~~. It shall, however, have all the rights as though it had originally accepted this Act, if it does so accept this Act before January 1, 1975.

Emergency clause. In view of the emergency cited in the preamble, this Act takes effect when approved.

Effective April 18, 1995.

CHAPTER 15

S.P. 108 - L.D. 284

An Act Amending the Charter of the Department of Electric Works within the Town of Madison

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 recent, substantial growth in electric load has substantially increased the operating revenues and expenses of the Madison Department of Electric Works; and

Whereas, an increase in short-term borrowing capacity is required to meet any unanticipated short-term obligations and expenses; 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 1975, c. 53, §9 is amended to read:

Sec. 9. Borrowing for current operating expenses. In addition to any other borrowing permitted by law, the Town of Madison, by votes of its municipal officers and the board of directors of its electric works, is authorized to borrow money for current operating expenses and to issue therefor bonds or notes of the town, not to exceed ~~\$50,000~~ \$1,200,000. Said bonds and notes shall be paid in not more than 5 years from their date and shall be legal

obligations of said town, and shall be legal investments for savings banks.

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 Town of Madison at the next regular town meeting or at a special town meeting to be called and held for that purpose by January 1, 1996. 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 short-term borrowing authority of the Madison Department of Electric Works from \$50,000 to \$1,200,000?"

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 Madison 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 16

S.P. 220 - L.D. 562

An Act to Increase Compensation of Trustees of the Gray 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.

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

Sec. 1. P&SL 1929, c. 33, §9, next to last sentence, as amended by P&SL 1977, c. 25, is further amended to read:

~~Each~~ Notwithstanding the Maine Revised Statutes, Title 35-A, sections 6303 and 6306, each member shall is entitled to receive in full compensation for services as trustee an allowance of ~~\$200~~ \$504 per year, and no more; ~~provided, however except that,~~ if any trustee ~~shall be~~ is elected and ~~serve~~ serves as treasurer, ~~he~~ the trustee may be paid for ~~his~~ his services in that capacity ~~not exceeding \$720~~ an amount not to exceed \$950 per year.

See title page for effective date.

CHAPTER 17

S.P. 256 - L.D. 694

An Act to Create the Franklin Utility 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, a portion of the Town of Franklin is in immediate need of a water supply system to provide potable water to the inhabitants of that portion of the Town of Franklin; 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. Territorial limits; corporate name; purposes. Subject to section 16, the inhabitants and territory of that part of the Town of Franklin in Hancock County, comprised of the area starting at a point in West Franklin at the intersection of Grist Mill Stream and the tidewaters of Taunton Bay; proceeding easterly along the northern shore of Taunton Bay and Hog Bay to a point in East Franklin