

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

DEPARTMENT OF TRANSPORTATION TOTAL	23,253	23,388
SECTION G-1 TOTAL ALLOCATIONS	(\$5,813)	(\$5,847)

PART H

Sec. H-1. Allocation. The following funds are allocated from Other Special Revenue to carry out the purposes of this Part.

	1995-96	1996-97
SECRETARY OF STATE, DEPARTMENT OF THE		
Administration - Motor Vehicles		
Positions - Legislative Count	(-1.0)	(-1.0)
Personal Services	(\$26,874)	(\$26,783)
All Other	(2,006)	(2,001)
Provides for the deallocation of funds to eliminate one Clerk Typist II position funded pursuant to Public Law 1993, chapter 649.		
DEPARTMENT OF THE SECRETARY OF STATE SECTION H-1 TOTAL	(\$28,880)	(\$28,784)

PART I

Sec. I-1. Allocation. The following funds are allocated from the Internal Service Fund to carry out the purposes of this Part.

	1995-96	1996-97
TRANSPORTATION, DEPARTMENT OF		
Motor Transport Services - General Overhead		
Positions - Other Count	(-2.0)	(-2.0)
Personal Services	(\$54,166)	(\$50,250)
Provides for the deallocation of funds resulting from the elimination of one Clerk Typist II position and one Account Clerk I position.		
DEPARTMENT OF TRANSPORTATION SECTION I-1 TOTAL	(\$54,166)	(\$50,250)

PART J

Sec. J-1. Allocation. The following funds are allocated from the Highway Fund to carry out the purposes of this Part.

	1995-96	1996-97
TRANSPORTATION, DEPARTMENT OF		
Highway and Bridge Improvement		
Capital Expenditures	\$425,000	\$425,000
Provides for the allocation of funds for the Highway Resurfacing Capital Program.		
DEPARTMENT OF TRANSPORTATION SECTION J-1 TOTAL	\$425,000	\$425,000

Effective June 30, 1995.

CHAPTER 42

H.P. 1127 - L.D. 1572

**An Act to Amend the Charter of the
Corinna 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 Corinna Water District needs to undertake an expansion of its water lines immediately; 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 1947, c. 86, §1, as amended by P&SL 1969, c. 82, §1, is further amended by repealing the last paragraph.

Sec. 2. P&SL 1947, c. 86, §11, first sentence, as amended by P&SL 1969, c. 82, §2, is further amended to read:

For accomplishing the purposes of this Act, ~~said~~ the district, through its trustees, is authorized to borrow money from time to time, not to exceed ~~\$500,000~~ \$1,000,000, and to issue ~~therefor~~ for that purpose the interest bearing negotiable notes of the district, maturing serially or otherwise, and to make subsequent renewals of the same in whole or in part, and for ~~said those~~ purposes and for the purpose of refunding any notes, bonds or other lawful indebtedness and to establish a fund therefor, of obtaining or providing money to pay or to meet any necessary expenses and liabilities under the provisions of this Act, including expenses in the creation of this district, in securing sources of supply, taking water and land, paying damages, laying pipes, constructing, maintaining and operating a water plant system and making extensions, additions and improvements to the same, the ~~said~~ district, through its trustees, may from time to time issue bonds of the district ~~to~~ in an amount necessary in the judgment of the trustees therefor, maturing at one time or in uniform or varying installments, with or without call provisions and at or without any premium.

Sec. 3. P&SL 1947, c. 86, §13 is repealed and the following enacted in its place:

Sec. 13. Rates. The rates established pursuant to this section must be sufficient to provide revenue for the purposes of this Act and for all other purposes of the district, without the need for any financial assistance from the Town of Corinna other than the normal payment of water charges for services rendered and the loan or loans for initial funds as set forth in section 11. Individuals, firms and corporations, whether private, public or municipal, shall pay to the treasurer or other designated officer of the district the rates established by the board of trustees for the water service provided to them. The rates must be established in accordance with the Maine Revised Statutes, Title 35-A, chapter 61.

Sec. 4. P&SL 1947, c. 86, §17 is enacted to read:

Sec. 17. State funds exempt from investigation. The management and allocation by the Corinna Water District of a contribution of funds by the State under the Maine Revised Statutes, Title 38, section 568, subsection 2 and the income from those funds are not subject to investigation or review by the Public Utilities Commission under Title 35-A,

section 310, 1302 or 1303, except upon request by the Department of Environmental Protection.

Sec. 5. Emergency clause; referendum; effective date. In view of the emergency cited in the preamble, this Act takes effect when approved except that section 2 takes effect only for the purpose permitting its submission to the legal voters within the Corinna Water District at an election called for that purpose and held by December 31, 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 clerk to post a new list of voters. The registrar of voters must be in session the secular day preceding the election for the purposes of registering voters. The subject matter of section 2 of this Act is reduced to the following question:

"Do you favor increasing the debt limit of the Corinna Water District from \$500,000 to \$1,000,000?"

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 Corinna and the due certificate of the results filed by the clerk with the Secretary of State.

Section 2 of this Act takes effect for all purposes immediately upon its acceptance by a majority of the legal voters within the district voting at the special election. Failure of the approval by the necessary majority of voters at any such election does not prevent a subsequent election or elections from being held for that purpose, provided the election is held no later than December 31, 1996.

Effective June 30, 1995, except where pending referendum.

CHAPTER 43

S.P. 523 - L.D. 1421

An Act to Preserve Deteriorating and Irreplaceable Historic Battle Flags and Banners

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

Sec. 1. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Act.