

# 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**

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**J.S. McCarthy Company**  
**Augusta, Maine**  
**1995**

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 P&SL 1947, c. 86, §13** is repealed and the following enacted in its place: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

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## 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.

	1995-96	1996-97
<b>MUSEUM, MAINE STATE</b>		
<b>Research and Collection - Museum</b>		
All Other	\$5,000	\$5,000
Provides funds as a 1:2 match for a conservation laboratory to be used for flag preservation.		

See title page for effective date.

**CHAPTER 44**

**H.P. 783 - L.D. 1100**

**An Act to Provide Road Maintenance to Baxter State Park**

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

**Sec. 1. P&SL 1955, c. 186, §1, 2nd sentence**, as enacted by PL 1991, c. 592, Pt. D, §12, is repealed.

See title page for effective date.

**CHAPTER 45**

**S.P. 147 - L.D. 333**

**An Act to Authorize a General Fund Bond Issue in the Amount of \$14,000,000 for Grants to Cities and Towns for the Proper Capping of Their Solid Waste Landfills, for Small Community Water Pollution Control Facilities and for the Removal of State-owned Underground Storage Tanks**

**Preamble.** Two thirds of both Houses of the Legislature deeming it necessary in accordance with the Constitution of Maine, Article IX, Section 14, to authorize the issuance of bonds on behalf of the State of Maine to provide funds for grants to cities and towns for the proper capping of their solid waste landfills, for small community water pollution control facilities and for the removal of state-owned underground storage tanks.

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

**Sec. 1. Authorization of bonds to provide for grants to cities and towns for the proper capping of their solid waste landfills, for small community water pollution control facilities and for the removal of state-owned underground storage tanks.** The Treasurer of State is authorized, under the direction of the Governor, to issue bonds in the name and behalf of the State in an amount not exceeding \$14,000,000 to raise funds for grants to cities and towns for the proper capping of their solid waste landfills, for small community water pollution control facilities and for the removal of state-owned underground storage tanks as authorized by section 6. The bonds are a pledge of the full faith and credit of the State. The bonds may not run for a period longer than 10 years from the date of the original issue of the bonds. At the discretion of the Treasurer of State, with the approval of the Governor, any issuance of bonds may contain a call feature.

**Sec. 2. Records of bonds issued to be kept by the Treasurer of State.** The Treasurer of State shall keep an account of each bond showing the number of the bond, the name of the successful bidder to whom sold, the amount received for the bond, the date of sale and the date when payable.

**Sec. 3. Sale; how negotiated; proceeds appropriated.** The Treasurer of State may negotiate the sale of the bonds by direction of the Governor, but no bond may be loaned, pledged or hypothecated on behalf of the State. The proceeds of the sale of the bonds, which must be held by the Treasurer of State and paid by the Treasurer of State upon warrants drawn by the State Controller, are appropriated solely for the purposes set forth in this Act. Any unencumbered balances remaining at the completion of the project in section 6 lapse to the debt service account established for the retirement of these bonds.

**Sec. 4. Interest and debt retirement.** The Treasurer of State shall pay interest due or accruing on any bonds issued under this Act and all sums coming due for payment of bonds at maturity.

**Sec. 5. Disbursement of bond proceeds.** The proceeds of the bonds must be expended as set out in section 6 under the direction and supervision of the Department of Administrative and Financial Services for the removal of state-owned underground storage tanks and the Department of Environmental Protection for grants to cities and towns for the proper capping of their solid waste landfills and for small community water pollution control facilities.

**Sec. 6. Allocations from General Fund bond issue.** The proceeds of the sale of bonds must be expended as designated in the following schedule.