

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND SEVENTEENTH LEGISLATURE

FIRST SPECIAL SESSION
November 28, 1995 to December 1, 1995

SECOND REGULAR SESSION
January 3, 1996 to April 4, 1996

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
JULY 4, 1996

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

of Milbridge until the next annual election. At any annual election the voters of the district shall cast their ballot for as many candidates as there are offices to be filled, including vacancies in any unexpired terms.

Sec. 2. P&SL 1981, c. 55, §11, 3rd ¶ is repealed.

See title page for effective date.

CHAPTER 56

H.P. 1170 - L.D. 1602

An Act to Amend the Bowdoinham Water District Charter

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

Sec. 1. P&SL 1957, c. 121, §7, first ¶, 6th sentence is amended to read:

They shall choose annually a treasurer to serve for a term of 1 year, fix the treasurer's salary, ~~which shall in no case exceed \$200 per year,~~ and fill vacancies in that office.

Sec. 2. P&SL 1957, c. 121, §7, first ¶, 8th sentence is amended to read:

Members of the board ~~shall be~~ are eligible ~~to~~ for any office under the board, ~~but shall not receive compensation therefore, except as trustee, unless authorized by vote of the municipal officers of the town of Bowdoinham.~~

Sec. 3. P&SL 1957, c. 121, §7, 2nd ¶ is repealed.

Sec. 4. P&SL 1957, c. 121, §9, first ¶, 2nd sentence, as amended by P&SL 1967, c. 215, §2, is further amended to read:

For the purposes 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, 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 an amount not exceeding \$500,000 ~~\$2,500,000~~, maturing and payable at such time or times, in uniform or varying installments, with or without such call provisions, and with or without such

a premium or premiums, as said trustees shall determine.

See title page for effective date.

CHAPTER 57

H.P. 1173 - L.D. 1605

An Act to Amend the Charter of the East Pittston Water District

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the gasoline contamination in East Pittston has spread to additional wells in the area and poses a serious threat to the health and well-being of residents of that area; and

Whereas, an adequate supply of pure water is essential to the health and well-being of the inhabitants of East Pittston; 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 1987, c. 144, §1 is amended to read:

Sec. 1. Territorial limits; corporate name; purposes. Subject to section 15, the inhabitants and territory of that part of the Town of Pittston in Kennebec County comprised of the area beginning at the junction of the east and west branches of the Eastern River (approximately 600 feet east northeast of the crossing of the Eastern River by Route 194), in East Pittston, then going 900 feet S 10°W to a point, then going 900 feet S 30°W to a point, then going 975 feet S 42°W to a point, then going N 50°W to a point 550 feet N 50°W of the center line of the Dresden Road (also called the Kelly Road on some maps), then going directly north to the Eastern River, then following the Eastern River upstream to the southwest corner of Lot 59, R-11 of the Property Tax Maps of the Town of Pittston; thence due north to the southern border of Lot 61; thence easterly along the border of Lot 61 to the intersection of Route 194; thence northeasterly along the southern side of the Hunts Meadow Road to the intersection of the west branch of the Eastern River; thence southeasterly along the southern shore to the point of beginning

~~shall constitute~~ constitute a body politic and corporate under the name of "East Pittston Water District" for the purpose of supplying the inhabitants and others of the district with pure water for domestic, sanitary, commercial, industrial, agricultural and municipal purposes.

Sec. 2. P&SL 1987, c. 144, §2 is amended by inserting after the first paragraph a new 2nd paragraph to read:

Notwithstanding this section, the district is not required to file a petition or obtain the approval of the Public Utilities Commission in order to provide water to residents of the district with contaminated wells, provided the district obtains the approval of the Department of Environmental Protection.

Sec. 3. P&SL 1987, c. 144, §9, sub-§1, first ¶ is amended to read:

1. First board. Within 14 days after the acceptance of this Act, the ~~selectmen~~ municipal officers of the Town of Pittston, who are especially appointed for this purpose, shall appoint 3 trustees. After the selection of the first board, the only eligibility requirements for the office of trustee of the district ~~shall be~~ are residence within the district and eligibility to vote, and all subsequent trustees ~~shall be~~ are elected by the residents of the district as provided in the Maine Revised Statutes, Title 35-A, chapter 63 in an annual election to be held ~~on the first Saturday of March in each year~~ during the annual election of town officials of Pittston.

Sec. 4. P&SL 1987, c. 144, §9, sub-§4 is amended to read:

4. Vacancies; incompatible offices. Whenever the term of office of a trustee expires, a successor ~~shall~~ must be elected by a plurality vote by the inhabitants of the district, and upon nomination made as provided in this section for the election of trustees; and for the purpose of election a special election ~~shall~~ must be called and held ~~on the first Saturday of March in each year during the annual election of town officials of Pittston,~~ the election to be called by the trustees of the district in the same manner as town meetings are called. For this purpose, the trustees are vested with the powers of ~~selectmen~~ municipal officers of towns. The trustees so elected ~~shall~~ serve the full term of 3 years and, in case ~~any~~ a vacancy arises in the membership of the board of trustees, it ~~shall~~ must be filled ~~in like manner for the unexpired term by special election to be called by the trustees of the district until the next election by appointment by the municipal officers.~~ When ~~any~~ a trustee ceases to be a resident of the district, that trustee shall vacate the office of trustee and the vacancy ~~shall~~ must be filled as provided in this section. All trustees ~~shall be~~ are eligible for reelection, but ~~no person holding office of selectman a~~

municipal officer or road commissioner in the Town of Pittston ~~may be~~ is not eligible for nomination or election as trustee.

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

Effective March 6, 1996.

CHAPTER 58

H.P. 1193 - L.D. 1637

An Act to Establish the Administrative Operating Budget for the Maine State Retirement System for the Fiscal Year Ending June 30, 1997

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the 90-day period may not terminate until after the beginning of the next fiscal year; and

Whereas, certain obligations and expenses incident to the operation of the Maine State Retirement System will become due and payable before the 90-day period may terminate; 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. Allocation of funds. Administrative operating expenses of the Maine State Retirement System for the fiscal year ending June 30, 1997 must be paid from the system's expense fund in accordance with the following schedule.

1996-97	
MAINE STATE RETIREMENT SYSTEM	
Personal Services	\$4,752,613
All Other	2,569,350
MAINE STATE RETIREMENT SYSTEM	
TOTAL	\$7,321,963