

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

town votes to employ a town manager, but not in union with one or more other towns, the town manager is the administrative head of the water system and is responsible to the water commissioners. The town manager's powers and duties in connection with the water system are the same as in the management of the municipal affairs of the town, so far as applicable. Purchases and disbursements are made by the town manager on vouchers signed by a majority of the commissioners.

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

Effective April 8, 1996.

CHAPTER 75

H.P. 1361 - L.D. 1869

An Act to Increase the Debt Limit of the Madawaska Water District

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

Sec. 1. P&SL 1953, c. 17, §11, first ¶, as amended by P&SL 1989, c. 94, §2, is further amended to read:

For accomplishing the purposes of this act and for such other expenses as may be necessary for the carrying out of said purposes, said district, through its trustees, subject to the provisions of the Maine Revised Statutes, Title 35-A, section 6304, is authorized to issue its notes and bonds in one series or in separate series from time to time and to make subsequent renewals of the same in whole or in part to an amount not exceeding the sum of ~~\$500,000, \$1,500,000~~ outstanding at any one time, unless the district obtains approval of the voters of the district for a higher debt limit pursuant to this section. Said notes and bonds ~~shall be~~ are the legal obligation of said district, which is hereby declared to be a ~~quasimunicipal~~ quasi-municipal corporation within the meaning of the Maine Revised Statutes, Title 30-A, section 5701, as amended, and all provisions of said section ~~shall be~~ are applicable ~~thereto, said~~ to those notes and bonds. ~~The notes and bonds shall be~~ are a legal investment for savings banks in the State of Maine, and ~~shall be~~ are exempt from all present taxes. The said district may refund and reissue, subject to the provisions of the Maine Revised Statutes, Title 35-A, section 6304, from time to time, any of its notes and bonds and other evidence of indebtedness. Each bond or note ~~shall~~ must have inscribed on its face the words "Madawaska Water District Bond," or "Madawaska Water District Note," as the case may be, and ~~shall bear~~ bears interest

at such rates as the trustees ~~shall~~ determine. ~~If said bonds be issued from time to time, The district may refund and reissue, from time to time, in one or in separate series, its bonds, notes and other evidences of indebtedness and each authorized issue shall constitute~~ constitutes a separate loan. Each loan ~~shall be~~ is payable in annual amounts of principal, beginning not more than one year from its date and ~~made to run~~ runs for such period as said trustees ~~shall~~ determine.

Sec. 2. P&SL 1953, c. 17, §11, as amended by P&SL 1989, c. 94, §2, is further amended by adding after the first paragraph the following new paragraphs to read:

In order to establish a higher debt limit for the district, the trustees shall propose a new debt limit for the district, which the trustees shall submit for approval in a districtwide referendum. The referendum 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. For the purpose of registering voters, the registrar of voters must be in session on the regular workday preceding the election. The town clerk of the Town of Madawaska shall prepare the required ballots with the following question:

"Do you favor changing the debt limit of the Madawaska Water District from (insert current debt limit) to (insert proposed debt limit)?"

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

The results must be declared by the municipal officers of the Town of Madawaska and due certificate of the results filed by the town clerk with the Secretary of State.

A debt limit proposal becomes effective immediately upon its acceptance by a majority of the legal voters within the district voting at the election. Failure of approval by the necessary majority of voters at the referendum does not prevent subsequent referenda from being held for the same purpose. The district may increase its debt limit to any amount or as often as approved by the legal voters within the district pursuant to this section.

Sec. 3. P&SL 1953, c. 17, §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 Madawaska, other than the normal payment of water charges for services ren-

dered. 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.

See title page for effective date.

CHAPTER 76

H.P. 1255 - L.D. 1724

An Act to Clarify the Distribution of Funding for the Maine School of Science and Mathematics

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

Whereas, funds are needed before the close of the current fiscal year to ensure the proper operation of the Maine School of Science and Mathematics; 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. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Act.

	1995-96	1996-97
EDUCATION, DEPARTMENT OF		
Magnet Schools		
All Other	\$234,000	(\$234,000)
Provides funds for the Maine School of Science and Mathematics for fiscal year 1995-96 by deappropriations in fiscal year 1996-97.		
Notwithstanding the Maine Revised Statutes, Title 20-A, section 8202, subsection 2, amounts appropriated for fiscal years 1995-96 and 1996-97 for the Maine		

School of Science and Mathematics may be disbursed to and expended by the school.

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

Effective April 10, 1996.

CHAPTER 77

S.P. 740 - L.D. 1848

An Act to Authorize a General Fund Bond Issue in the Amount of \$3,000,000 for Major Improvements at State Park and Historic Site Facilities

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 major improvements at state park and historic site facilities.

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

Sec. 1. Authorization of bonds to provide for major improvements at state park and historic site facilities. The Treasurer of State is authorized, under the direction of the Governor, to issue bonds in the name and on behalf of the State in an amount not exceeding \$3,000,000 to raise funds for major improvements at state park and historic site facilities, specifically renovations needed to make state parks and historic sites accessible to people with disabilities according to standards set by state and federal law, completion of the roof and masonry restoration at Fort Knox State historic Site and the replacement of Churchill Dam in the Allagash Wilderness Waterway, 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 5 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.