

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND SEVENTEENTH LEGISLATURE

SECOND SPECIAL SESSION
September 5, 1996 to September 7, 1996

ONE HUNDRED AND EIGHTEENTH LEGISLATURE

FIRST REGULAR SESSION
December 4, 1996 to March 27, 1997

FIRST SPECIAL SESSION
March 27, 1997 to June 20, 1997

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
JUNE 26, 1997

FIRST SPECIAL SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 19, 1997

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
1997

from being a director, officer or employee of the district.

Sec. 6. Certificate of organization. The district shall, after its organization, file a certificate with the Secretary of State setting forth the following information:

1. Name of the district;
2. Its purposes;
3. Islands included within the district;
4. Location of the principal office;
5. Number and names of the directors and their addresses; and
6. Names and addresses of the officers.

The certificate must be signed by the president and treasurer and a majority of the directors, and the president or treasurer shall make oath that the signatures set forth in the certificate are true. From time to time as changes may occur, the district shall file an amended certificate with the Secretary of State setting forth such changes.

Sec. 7. Powers of directors. The directors of the district may take, purchase, hold, maintain, operate, lease, rent, mortgage or convey any and all real and personal property, or lease or sublease the same, or enter into contracts with private companies for the purpose of providing public transportation services and for such purpose contract with the Federal Government, State Government and municipal governments for donations, loans, grants, gifts or other assistance and in such contracts agree to be bound by all applicable provisions of federal, state and municipal statutes, regulations and rules as the case may be.

Sec. 8. Routes and fares; sinking fund. The directors of the district may establish routes and shall fix rates of fare to be charged for public transportation service that to the extent possible reasonably assure sufficient income to meet the cost of the service, including, but not limited to, operating expenses, insurance, taxes, rentals, annual serial bond payments, interest, allocation for a reserve account and an allowance for depreciation. If, after all such obligations have been met, a surplus remains, the directors may deposit all or any part of such surplus in a reserve account for retirement of indebtedness or for other proper purpose.

Sec. 9. Sale of bonds. For accomplishing the purposes of this Act and for other expenses necessary for carrying out those purposes, the district, through the district directors, is authorized to issue, from time to time, bonds, notes or other evidences of indebtedness of the district in one series, or in separate series,

in an amount or amounts, bearing interest at a rate or rates and having terms and provisions determined by the directors. The district must operate its service as a toll system to retire the bonds issued and to provide for all the expenses and maintenance incurred by the issuance of bonds. All such bonds, notes and evidences of indebtedness so issued by the district are legal obligations of the district. The district is not a quasi-municipal corporation. Such bonds may be secured by a mortgage or security interest in any assets of the district. The district may refund and reissue from time to time, in one or in a separate series, its bonds and notes and constitute a separate loan. All bonds, notes and evidences of indebtedness issued by the district are legal investments for savings banks in the State.

See title page for effective date.

CHAPTER 20

S.P. 355 - L.D. 1174

An Act to Enhance Live Animal and Embryo Exports From Maine

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

Sec. 1. Live animal and embryo testing program. The Commissioner of Agriculture, Food and Rural Resources shall develop a plan for creating and funding an animal testing program within the Department of Agriculture, Food and Rural Resources that meets all applicable federal and state requirements for testing live animals and embryos for export from the State. The commissioner shall determine the equipment and personnel necessary to establish the animal testing program and shall submit the plan together with any required draft legislation to the Legislature no later than January 1, 1998. The plan must provide for the department to have cost estimates for appropriate facilities and certified staff to perform the following tests:

1. EHD-SN;
2. Vesicular Stomatitis: SN;
3. Leptospirosis - 5 serotypes;
4. VS CF; and
5. BVD/IBR.

The department shall provide an estimate of costs associated with testing capability for the EHD-SN Test and cumulative cost estimates associated with developing testing capability for each of the other 4 tests. Throughout the development of the plan, the

department shall consult with potential users of the testing program, including, but not limited to, the following: a Maine farmer engaged in the export of live animals and embryos, representatives of the harness racing and poultry industries and a person with recognized expertise in biotechnology. The Joint Standing Committee on Agriculture, Conservation and Forestry may report to the Second Regular Session of the 118th Legislature legislation relating to testing of live animals and embryos for export from the State.

See title page for effective date.

CHAPTER 21

S.P. 236 - L.D. 805

An Act to Create the Oquossoc Standard 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, there have been a number of private wells in the Village of Oquossoc in the Town of Rangeley that have been contaminated with hydrocarbons and pose a serious threat to the health and well-being of the inhabitants of the area; and

Whereas, an adequate supply of pure water is essential to the health and well-being of the inhabitants of the Village of Oquossoc; 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. Pursuant to the Maine Revised Statutes, Title 35-A, chapter 64, that part of the Town of Rangeley described as follows:

Beginning at the intersection of the eastern shore of the Rangeley River and Route 4, thence east along the northern edge of Route 4 to the intersection of the Berkshire Road (Quimby Wilds Road), thence north along the western edge of the Berkshire Road to its end, thence westerly to 70°45'N, thence north along the 70°45' longitude to the intersection of 45°00' W, thence west to the intersection of Whetstone Brook, thence west by southwest along the southern shore of the Whetstone Brook, to the western shore of the Kennebago River, thence southerly to Indian Rock, thence south across Cupsuptic Lake to the northern point of Oquossoc, thence west by southwest along the shoreline of Cupsuptic Lake to Haines Landing and the intersection of Route 4, thence east along the northern edge of Route 4 to the intersection of the Bald Mountain Road, thence southerly to the intersection of the Rangeley-Rangeley Plantation town line, thence easterly along said line to the intersection of Route 17, thence northerly along the eastern edge of Route 17 to the intersection of Town of Rangeley Shore Road, thence northerly along the eastern edge of the Rangeley Shore Road to the intersection of Route 4, thence east along Route 4 to the point of beginning and its inhabitants constitute a standard district under the name "Oquossoc Standard Water District" and is referred to in this Act as "the district."

Sec. 2. Powers; authority; duties. The district has all the powers and authority and is subject to all the requirements and restrictions provided in the Maine Revised Statutes, Title 35-A, chapter 64.

The management and allocation of the Oquossoc Standard Water District of a contribution of funds by the State under the Maine Revised Statutes, Title 38, section 1364, subsection 5, 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.

Pursuant to Title 35-A, section 6403, subsection 2, paragraph D, the Oquossoc Standard Water District is authorized to take and use water from any source of supply within the Town of Rangeley west of Hunter Cove.

Sec. 3. Number of trustees; qualifications. The board of trustees of the district is composed of 5 trustees, all of whom must be residents of the district or own real estate located within the district.

Sec. 4. Election of first board. The first board is elected in an election called by the municipal officers of the Town of Rangeley within 6 months of