

# 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.**

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**J.S. McCarthy Company**  
**Augusta, Maine**  
**1997**

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.

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## 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

approval of this Act by the legal voters within the district.

**Sec. 5. Terms of trustees.** After the election of the first board, trustees are elected to 3-year terms in accordance with Title 35-A, section 6410, subsection 1.

**Sec. 6. Emergency clause; referendum; effective date.** In view of the emergency cited in the preamble, this Act takes effect when approved only for the purpose of permitting its submission to the legal voters within the territory of the proposed district at an election called for that purpose and held by July 1, 1998. The election must be called, advertised and conducted according to the law relating to municipal elections. The registrar shall make a complete list of all the eligible voters of the proposed district as defined in this Act. The list prepared by the registrar governs the eligibility of any voter. Voters who are residing outside the territorial limits of the proposed district, as defined in this Act, are not eligible voters and the registrar of voters shall exclude those voters from the registrar's list. For the purpose of registration of voters, the registrar of voters shall be in session the secular day next preceding the election. The subject matter of this Act must be reduced to the following question:

"Do you favor creating the Oquossoc Standard Water District?"

The voters shall indicate by 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 Rangeley and due certificate of the results filed by the clerk with the Secretary of State.

This Act takes effect for all purposes immediately upon its approval by a majority of the legal voters voting at the election. Failure to achieve the necessary approval in any referendum does not prohibit subsequent referenda consistent with this section, provided the referenda are held prior to July 1, 1998.

Effective pending referendum.

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## CHAPTER 22

S.P. 370 - L.D. 1229

### **An Act to Authorize the Conversion and Reuse of the Perry Hayden Hall at Pineland Center as an Elementary School**

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

**Whereas,** the Legislature has previously determined that the building known as "Perry Hayden Hall" at Pineland Center in the Town of New Gloucester and its site be offered to Maine School Administrative District No. 15, referred to in this Act as "SAD 15"; and

**Whereas,** the studies performed by SAD 15 show that Perry Hayden Hall could be converted and used as an elementary school at approximately 1/2 the cost of new construction; and

**Whereas,** SAD 15 has submitted an application to the State Board of Education for construction of an addition to the Russell Elementary School at a cost of \$1,490,000. The project is presently on the special priority list of the State Board of Education; and

**Whereas,** SAD 15 has also projected a need for construction of a new kindergarten to grade 5 elementary school at an estimated cost of \$6,000,000; and

**Whereas,** SAD 15 has projected its costs for portable classrooms until these projects are built at approximately \$117,000 per year; and

**Whereas,** SAD 15 has determined that the need for both of these projects and its need for portable classrooms would be eliminated by the renovation and use of Perry Hayden Hall at an estimated project cost of \$3,075,000; and

**Whereas,** the State and SAD 15 can save approximately \$6,785,000 in school construction debt service costs by renovating and using Perry Hayden Hall instead of constructing the proposed addition to the Russell Elementary School and the proposed new elementary school; and

**Whereas,** these savings will not be realized unless the Legislature authorizes SAD 15 to proceed with the renovation of Perry Hayden Hall before the building deteriorates further as a result of its present unheated condition; and

**Whereas,** SAD 15 has a critical need for additional classroom space that must be met in time for the opening of school in September of 1998; 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,