

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

Sec. 8. Assessment and collection. Upon a certificate being filed with the assessors of the Town of ~~Standish Frye Island~~ by the clerk of the corporation of the amount of money voted to be raised at any legal meeting of the corporation, it ~~shall be~~ is the duty of the ~~Standish Frye Island~~ assessors, or their successors in office, at the time of the next annual assessment of town and county taxes in the Town of ~~Standish Frye Island~~, to assess in addition thereto the total amounts certified by the clerk of the corporation, upon the taxable estates within the corporation's territory and to certify and deliver the lists of the assessments so made to the treasurer of the corporation. The treasurer of the corporation shall collect the assessments in the same manner as county and town taxes are collected by law. The treasurer of the corporation shall receive all ~~moneys~~ money belonging to the corporation, pay it out only upon the written order or direction of the trustees, keep a regular account of all ~~moneys~~ money received and paid out and exhibit the account to the trustees whenever requested to do so.

The corporation ~~shall have~~ has the same power to direct the method of collecting these taxes that a town has in the collection of town taxes; and the treasurer ~~shall have~~ has the same rights and powers to recover any taxes committed to ~~him~~ the treasurer under the provisions of this Act that a town tax collector has for the collection of town taxes committed to ~~him~~ the town tax collector. The corporation ~~shall have~~ has the same right to recover by suit taxes assessed under this Act as a municipality has by law to recover taxes assessed therein.

The rights and powers of the corporation and its treasurer to collect corporation taxes, as aforesaid, and any liens or attachments therefor, ~~shall be~~ are subordinate to the rights and powers, liens or attachments of the Town of ~~Standish Frye Island~~ in collection of the town taxes, assessments or other charges.

Sec. 9. Town tax payments to corporation. The Town of ~~Standish Frye Island~~ may appropriate any sum to the corporation from the annual revenue raised by the town's taxation on the estates within the corporation's territory. Any sum so appropriated by the town ~~shall~~ must be paid over to the treasurer of the corporation and ~~shall~~ must be used and expended for its corporate purposes and duties.

Sec. 10-B. Property of corporation tax exempt. ~~No property~~ Property of the corporation ~~shall be~~ is exempt from taxation ~~by reason of this Act or the general laws of the State of Maine to the same extent as property owned by a municipality.~~

Sec. C-6. Transfer of Frye Island Municipal Services Corporation assets. The Frye Island Municipal Services Corporation shall transfer

any assets remaining in the corporation at the time of repeal of its charter to the Town of Frye Island.

Sec. C-7. P&SL 1975, c. 138, as amended, is repealed.

Sec. C-8. Effective date. This Part takes effect upon incorporation of the Town of Frye Island pursuant to Part A of this Act, except that section 7 takes effect 2 years after the date of incorporation.

Effective pending referendum, unless otherwise indicated.

CHAPTER 22

S.P. 652 - L.D. 1873

An Act to Increase the Debt Limit of the Vinalhaven 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 Vinalhaven Water District needs to replace its water supply source and to replace a water main; and

Whereas, the present borrowing capacity of the district is not large enough to finance the project; and

Whereas, it is essential that the work be completed as soon as possible in order to provide water service to the inhabitants of the district and to protect the present expenditures; 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 1977, c. 99, §12, first sentence is amended to read:

For accomplishing the purposes of this Act, and for ~~such~~ any other expenses ~~as~~ that may be necessary for the carrying out of those purposes, the district, through its trustees, is authorized to borrow money temporarily and to issue ~~therefor~~ for the money its negotiable notes; and for the purpose of renewing and refunding the indebtedness ~~so~~ created, of paying any necessary expenses and liabilities incurred under the provisions of this Act, including organizational and other necessary expenses and liabilities, whether incurred by

the district or the municipality, the district being authorized to reimburse the municipality for any such expenses incurred by it, and in acquiring properties, paying damages, laying pipes, mains, aqueducts, conduits, constructing, maintaining and operating a water plant or system and making renewals, additions, extensions and improvements to the same, and to cover interest payments during the period of construction, the district, through its trustees, is also authorized to issue, from time to time, bonds, notes or other evidences of indebtedness of the district in one series, or in separate series and to make subsequent renewals of the bonds, notes or other evidences of indebtedness, the amount or amounts, not exceeding the sum of ~~\$400,000~~ \$1,500,000 outstanding at any one time, bearing interest at such rate or rates, and having such terms and provisions as the trustees ~~shall~~ determine; ~~provided~~ except that in the case of a vote by the trustees to authorize bonds or notes to pay for the acquisition of property, for the cost of a water system or part ~~thereof~~ of a water system, for renewal or additions or for other improvements in the nature of capital costs, the estimated cost of which, singly or in the aggregate included in any one financing is \$30,000 or more, or for renewing or refunding existing indebtedness, notice of the proposed debt and of the general purpose or purposes for which it was authorized ~~shall~~ must be given by the clerk by publication at least once in a newspaper having a general circulation in the Town of Vinalhaven.

Sec. 2. P&SL 1977, c. 99, §12 is amended by inserting after the first paragraph a new paragraph to read:

Notwithstanding any other provision of this section, the district, through its trustees, may issue bonds, notes or other evidences of indebtedness in amounts exceeding \$1,500,000 at any one time if a greater debt limit is established by referendum in accordance with the Maine Revised Statutes, Title 35-A, section 6413. The district may not have outstanding any one time bonds, notes or other evidences of indebtedness in amounts exceeding any debt limit established by referendum in accordance with Title 35-A, section 6413.

Sec. 3. Emergency clause; referendum; effective date. In view of the emergency cited in the preamble, this Act takes effect when approved except that section 1 of this Act takes effect only for the purpose of permitting its submission to the legal voters within the district by December 31, 1997. 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. For the purposes of registration of voters, the registrar of voters must be in session the secular day preceding the

election. The subject matter of section 1 is reduced to the following question:

"Do you favor increasing the debt limit of the Vinalhaven Water District from \$400,000 to \$1,500,000?"

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

The results must be declared by the municipal officers of the Town of Vinalhaven 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 December 31, 1997.

Effective pending referendum.

CHAPTER 43

H.P. 99 - L.D. 123

An Act to Protect Deer

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

Sec. 1. Transfer. Ten thousand dollars in fiscal year 1997-98 and \$10,000 in fiscal year 1998-99 are transferred from the Carrying Balances-Inland Fisheries and Wildlife Program to the Bureau of Resource Management in the Department of Inland Fisheries and Wildlife for coyote control. These funds are provided to supplement existing resources budgeted by the department for coyote control and must be used to control coyotes in and around deer yards. The commissioner shall submit a report to the joint standing committee of the Legislature having jurisdiction over inland fisheries and wildlife matters no later than April 1, 1999 on the total expenditures in the fiscal years 1997-98 and 1998-99 on coyote control and the effectiveness of those expenditures on rebuilding the deer herd.

See title page for effective date.
