

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND EIGHTEENTH LEGISLATURE

SECOND REGULAR SESSION
January 7, 1998 to March 31, 1998

SECOND SPECIAL SESSION
April 1, 1998 to April 9, 1998

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
JUNE 30, 1998

SECOND SPECIAL SESSION
NON-EMERGENCY LAWS IS
JULY 9, 1998

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

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 trustees and entered upon the district's records. Due certificate of the results must be filed by the clerk with the Secretary of State.

A debt limit proposed by the trustees pursuant to this section becomes effective upon its acceptance by a majority of the legal voters within the district voting at the referendum. Failure of approval by the majority of voters voting at the referendum does not prevent subsequent referenda from being held for the same purpose. The costs of referenda are borne by the district.

If a debt limit is established and approved by referendum pursuant to this section, the total indebtedness of the district at any one time outstanding may not exceed the total amount so established.

Sec. 6. Referendum not required. The provisions of this Act are not subject to referendum approval before becoming effective.

See title page for effective date.

CHAPTER 75

H.P. 1546 - L.D. 2175

An Act Relating to the Debt Limit of the Limerick Water District

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

Whereas, 2 large fires during the 1990's within the Town of Limerick have illustrated the inadequacy of the fire protection available through the Limerick Water District, and in particular the need to increase the size of the primary water main through the town; and

Whereas, the Department of Human Services has indicated to the Limerick Water District that its system reservoir is in disrepair and needs to be replaced in order to maintain the quality of the water supply; and

Whereas, the Limerick Water District plans to address these deficiencies in 1998 by constructing a new reservoir and replacing the primary water main, which will in turn require the district to borrow funds in excess of the debt limit established in its charter. These funds must be obtained during the spring of

1998 in order to permit construction during the summer and fall of that year; and

Whereas, in conjunction with the Limerick Water District's financing efforts, the Town of Limerick is in the process of procuring a community development block grant from the State, which will be lost if not utilized for construction during 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,

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

Sec. 1. P&SL 1957, c. 219, §10, first sentence is 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 the~~ district, through its trustees, without district vote, is authorized to borrow money temporarily and to issue therefor 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 Town of Limerick, the district being authorized to reimburse ~~said the~~ Town of Limerick for any such expenses incurred by it, and in acquiring properties, paying damages, laying pipes, mains, aqueducts and 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, ~~said the~~ district, through its trustees, without district vote, 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, in such amount or amounts, bearing interest at such rate or rates, and having such terms and provisions as the trustees shall determine; provided that the total indebtedness of ~~said the~~ district at any one time outstanding ~~shall may~~ not exceed the sum of ~~\$200,000~~ \$1,000,000.

Sec. 2. P&SL 1957, c. 219, §10, is amended by adding 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 \$1,000,000 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 at 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.

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

Effective March 31, 1998.

CHAPTER 76

H.P. 1620 - L.D. 2250

An Act to Implement the Recommendations of the Maine Commission on Outstanding Citizens

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

Sec. 1. Hanging of portraits. The Legislature endorses the recommendations of the report from the Maine Commission on Outstanding Citizens as established pursuant to Resolve 1997, chapter 64.

The following are the 20 persons recognized as outstanding citizens in the report:

1. Charles H. Best;
2. Rachel Carson;
3. Cornelia Thurza "Fly Rod" Crosby;
4. Samuel de Champlain;
5. Dorothea Lynde Dix;
6. Fanny Hardy Eckstorm;
7. John Ford;
8. James Augustine Healy;
9. Winslow Homer;
10. Oliver Otis Howard;
11. Sarah Orne Jewett;
12. Alvin O. Lombard;
13. Henry Wadsworth Longfellow;
14. Elijah Parish Lovejoy;
15. Edna St. Vincent Millay;
16. Commodore Edward Preble;

17. Edwin Arlington Robinson;
18. Louis Francis Sockalexis;
19. Harriet Beecher Stowe; and
20. Rudy Vallee.

In addition, the following persons are recognized as outstanding citizens whose portraits should be acquired in accordance with Resolve 1997, chapter 64:

1. Dora Bradbury Tinkham; and
2. Kate Douglas Wiggin.

The State House and Capitol Park Commission shall recommend to the Legislative Council the schedule for acquiring or commissioning the portraits of those Maine citizens so honored and shall implement the schedule approved by the Legislative Council.

Sec. 2. Percent for Art Program. For purposes of acquiring portraits pursuant to this Act under the Percent for Art Program, Maine Revised Statutes, Title 27, chapter 16, the Legislative Council is the contracting agency, as defined by Title 27, section 452. The percentage calculated under Title 27, section 453 for use by the commission must be based on any construction, as defined in section 452, subsection 3-A, that is approved by the Legislative Council on or after March 1, 1998 and for which funds are appropriated, allocated or transferred.

See title page for effective date.

CHAPTER 77

H.P. 1522 - L.D. 2144

An Act to Make Allocations from Maine Turnpike Authority Funds for the Maine Turnpike Authority for the Calendar Year Ending December 31, 1999

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

Sec. 1. Allocation. Gross revenues of the Maine Turnpike Authority for the calendar year ending December 31, 1999 must be segregated, apportioned and disbursed as designated in the following schedule.

1999

MAINE TURNPIKE AUTHORITY