

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND NINETEENTH LEGISLATURE

FIRST REGULAR SESSION
December 2, 1998 to June 19, 1999

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J.S. McCarthy Company
Augusta, Maine
1999

**PRIVATE AND SPECIAL LAWS OF THE STATE OF MAINE
AS PASSED AT
THE FIRST REGULAR SESSION OF THE
ONE HUNDRED AND NINETEENTH LEGISLATURE
1999**

CHAPTER 1

S.P. 12 - L.D. 1

**An Act to Transfer Funds from the
Service Retirement Benefit Reserve
to the Maine State Retirement
System in Order to Fund the
Modification of Retirement Laws for
Certain Law Enforcement Personnel**

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

Whereas, the 118th Legislature, in enacting Public Law 1997, chapter 740, established the Service Retirement Benefit Reserve in order to accrue sufficient funds to pay the full actuarial costs for the modification of retirement laws for certain law enforcement officers; and

Whereas, sufficient funds accrued to the Service Retirement Benefit Reserve from the unappropriated surplus of the General Fund at the close of fiscal year 1997-98; and

Whereas, Public Law 1997, chapter 740 prohibits the implementation of the modification of those retirement laws unless and until the Legislature takes additional action to direct payment of the full actuarial costs of that Act to the Maine State Retirement System; 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. Transfer from the Service Retirement Benefit Reserve. In accordance with Public Law 1997, chapter 740, sections 4, 5 and 6, and notwithstanding any other provisions of law, the State Controller is authorized to transfer \$3,065,000 from the Service Retirement Benefit Reserve to the Maine State Retirement System no later than February 1, 1999 to pay the full actuarial costs for the modifica-

tion of retirement laws in Public Law 1997, chapter 740, sections 1, 2 and 3.

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

Effective January 28, 1999.

CHAPTER 2

H.P. 431 - L.D. 573

**An Act Relating to the Construction
of a Locally Funded Arts and
Technology Center in Maine School
Administrative District No. 49**

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

Whereas, Private and Special Law 1995, chapter 32 and Private and Special Law 1997, chapter 59 authorized Maine School Administrative District No. 49 to enter into a design-build contract or other alternative construction arrangements to construct an arts and technology center in the Town of Fairfield; and

Whereas, Maine School Administrative District No. 49 conducted a design-build competition and requested a number of design-build firms to submit proposals for the design and construction of the arts and technology center; and

Whereas, the building committee of Maine School Administrative District No. 49 has selected a proposal for the design and construction of the arts and technology center that combines new construction and reconstruction of existing school facilities; and

Whereas, a question has arisen whether the concept design of the project is within the scope of the original authorization of Private and Special Law 1995, chapter 32 and Private and Special Law 1997, chapter 59; and

Whereas, Maine School Administrative District No. 49 cannot proceed with the design and construction of the project until its authority has been clarified; 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. Authority to construct arts and technology center. Subject to approval of the voters of Maine School Administrative District No. 49 at a referendum conducted on or after January 19, 1999, the Board of School Directors of Maine School Administrative District No. 49 is authorized to construct and equip a locally funded arts and technology center employing a design for the project that includes a technology suite, an auditorium using the structure of the existing junior high school gymnasium, a new junior high school gymnasium and other additions and improvements to the Lawrence Junior-Senior High School complex, with the total cost of the project not to exceed \$5,500,000, including \$4,700,000 from the Town of Fairfield's Bert Williamson Fund previously paid to the district by the municipal officers of the Town of Fairfield, with the balance of the total project costs to be derived from conditional and unconditional gifts obtained by the district through fund raising, available funds of the district from sources other than taxation and interest earnings on the Williamson Fund and other funds described in this section. The additional operating costs of the project during its first 2 years must be paid from conditional and unconditional gifts obtained by the district through fund raising, available funds of the district from sources other than taxation and local appropriations without state participation approved by the voters of the district pursuant to the Maine Revised Statutes, Title 20-A, section 15614, subsection 3. The district is authorized to enter into a design-build contract or to employ other alternative construction arrangements for the project. Notwithstanding the provisions of Title 20-A, sections 15903, 15905-A, 15908 and 15910, or other applicable laws, this project is not subject to approval by the Commissioner of Education or the Department of Administrative and Financial Services, Bureau of General Services. This Act may not be construed as waiving any building construction standards related to health or safety that apply to school construction projects, and the specifications for the project must be approved by the State Fire Marshal and the Department of Human Services.

Sec. 2. P&SL 1995, c. 32 is repealed.

Sec. 3. P&SL 1997, c. 59 is repealed.

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

Effective March 11, 1999.

CHAPTER 3

H.P. 717 - L.D. 1007

An Act to Repeal the Authorization of Lucerne-in-Maine Village Corporation to Construct Dams and Fishways

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

Sec. 1. P&SL 1961, c. 188 is repealed.

See title page for effective date.

CHAPTER 4

H.P. 96 - L.D. 109

An Act to Amend the Charter of the Mars Hill Utility District

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

Whereas, there is an immediate need to expand the territory of the Mars Hill Utility District; 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. 143, §1, as amended by P&SL 1993, c. 17, §1, is further amended to read:

Sec. 1. Territorial limits; corporate name and purpose. The inhabitants and territory within the town of Mars Hill and the inhabitants and territory within ~~a certain tract or area, containing 800 acres, more or less, of the town of Blaine, bounded and described as follows: the block or area of land bounded northerly by the town line between the town of Blaine and the town of Mars Hill; easterly by the center line of the Prestile Stream; southerly by the center line of the Pierce Road and an extension~~