

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

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 18, 1999

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
1999

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~~

westerly to the Bubar Road to a point 2,000 feet westerly of U. S. Route 1, as measured along the Bubar Road; and westerly by a line 2,000 feet westerly of and parallel to U. S. Route 1, in the county of Aroostook, are constituted a body politic and corporate under the name of the "Mars Hill Utility District" for the purpose of supplying the district and the inhabitants of the district with pure water for domestic, commercial, sanitary and municipal purposes, including the extinguishment of fires, and of supplying the district and the inhabitants of the district with suitable and adequate sewerage and sewage treatment and disposal facilities, as hereinafter provided.

Sec. 2. Approval; effective date. This Act takes effect when approved only for the purpose of permitting its submission to the legal voters within the Town of Blaine at a special or regular town meeting held by the Town of Blaine by November 2, 1999 and to the town council of Mars Hill at a council meeting held by November 2, 1999. The subject matter of this Act is reduced to the following question to be voted upon by the voters in the Town of Blaine and the town council of Mars Hill:

"Do you favor expanding the Mars Hill Utility District to include the entire Town of Blaine?"

The results of the vote at the special or regular town meeting held in the Town of Blaine must be declared by the municipal officers of the Town of Blaine and due certificate of the results filed by the clerk of the Town of Blaine with the Secretary of State. Due certificate of the results of the vote of the town council of the Town of Mars Hill must be filed by the clerk of the Town of Mars Hill with the Secretary of State.

This Act takes effect for all purposes immediately upon its approval by both a majority of the legal voters voting at the special or regular town meeting held in the Town of Blaine and by a majority of the members of the town council of the Town of Mars Hill. Failure to achieve the necessary approval at any town meeting in the Town of Blaine or at any council meeting of the town council of the Town of Mars Hill does not prohibit subsequent votes at special or regular town meetings held in the Town of Blaine or subsequent votes at any council meeting of the Town of Mars Hill, as long as the town meetings or council meetings are held in accordance with this section prior to November 9, 2000.

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

Effective pending referendum.

CHAPTER 5

H.P. 50 - L.D. 64

An Act to Amend the Mexico Water District Charter

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

Whereas, in order to ensure a smooth transition to a new beginning date for the terms of office of the trustees of the Mexico Water District, certain changes in law must be put into effect as soon as possible; 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 1929, c. 102, §8, 8th sentence, as amended by P&SL 1993, c. 30, §1, is further amended to read:

The term of office of the trustees first chosen ~~must date~~ dates from the first Monday of April, 1929, but the terms of office beginning after January 1, 1999 begin on July 1st.

Sec. 2. Transition. The terms of office of the trustees of the Mexico Water District serving on the effective date of this Act are extended to June 30th of the 3rd year of the appointed 3-year terms.

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

Effective April 9, 1999.

CHAPTER 6

H.P. 409 - L.D. 551

An Act to Amend the Lien Enforcement Procedure for the Topsham Sewer District

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

Sec. 1. P&SL 1957, c. 128, §14, sub-§1, first ¶, as enacted by P&SL 1965, c. 32, §2, is amended to read: