

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

Lands Reserve Trust	\$100,000
Tuition - Travel	200,000
Miscellaneous	1,500
Special - Retirement	150,000
TOTAL	\$451,500
TOTAL DEDUCTIONS	(\$2,351,708)
TAX ASSESSMENT	\$11,683,347

Sec. 2. Use of funds. Of the county reimbursements for services for Hancock County provided in this Act, \$5,000 is for the Eagle Island ferry service.

Sec. 3. Limitation of authority. The county commissioners of Somerset County may not commit more than \$100,000 from amounts made available by this Act for the acquisition of a fire truck for Rockwood.

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

Effective May 21, 1999.

CHAPTER 26

H.P. 297 - L.D. 405

An Act to Require that the State of Maine Comply with Federal Law Requiring Reasonable Efforts

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

Sec. 1. Compliance and report. The Department of Human Services shall comply with 42 United States Code, Chapter 7, Subchapter IV, Part E, as amended. The department shall report the details of the State's compliance status, giving particular attention to the requirements concerning reasonable efforts on the State's part to keep families intact, to the Joint Standing Committee on Judiciary by December 15, 1999.

See title page for effective date.

CHAPTER 27

H.P. 993 - L.D. 1391

An Act to Amend the Charter of the Dover-Foxcroft Water District

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 transfer of the fire prevention systems from the Dover-Foxcroft Water District to the Town of Dover-Foxcroft this legislation must go into effect immediately; 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 1985, c. 107, Pt. B, §2 is repealed.

Sec. 2. P&SL 1985, c. 107, Pt. B, §§4 and 5 are repealed.

Sec. 3. P&SL 1985, c. 107, Pt. B, §6, first ¶ is amended to read:

Sec. 6. Officers and powers. The officers of the corporation ~~shall~~ consist of a supervisor, clerk, treasurer, ~~collector, 3 assessors, 4 or more fire wardens~~ and a board of trustees of 3 members, one of whom ~~shall be~~ is designated as ~~chairman~~ chair and such other officers as may be provided for in the bylaws of the district.

Sec. 4. P&SL 1985, c. 107, Pt. B, §6, 2nd ¶ is repealed.

Sec. 5. P&SL 1985, c. 107, Pt. B, §7, last ¶ is amended to read:

The district, at any legal meeting ~~thereof~~ of the district, may make and alter bylaws and ordinances for its government for the efficient management of its water system and properties ~~and of its fire department, including the erection and maintenance of chimneys, regulation of all fires, stoves, pipes and flues in use for the purpose of heating contained in any building, the keeping of ashes, and for the regulation of all such other matters as shall endanger property to destruction by fire or tend to spread fire rapidly; provided that as long as the same are not repugnant to the law of the State; and may enforce the same by suitable penalties equal to the penalties provided in the Maine Revised Statutes, Title 35, chapter 313, to be recovered by action of debt in the name and to the use of the district. No justice in Dover-Foxcroft may be disqualified from trying such actions by reason of his being a member of the district.~~

Sec. 6. P&SL 1985, c. 107, Pt. B, §8 is amended to read:

Sec. 8. Voting rights. All persons who ~~are liable to be taxed by the district and~~ reside within the territorial limits of the district and who are otherwise qualified to vote in municipal elections in the State of Maine ~~shall be~~ are members of the district and entitled to vote at its meetings and ~~shall be~~ are eligible to hold office in the district.

Sec. 7. P&SL 1985, c. 107, Pt. B, §9 is repealed.

Sec. 8. P&SL 1985, c. 107, Pt. B, §12, sub-§1, 5th ¶ is amended to read:

All bonds, notes or other evidences of indebtedness of the district may be issued 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 board of trustees determines. Any such bonds, notes and evidences of indebtedness may be issued to mature serially or made to run for such periods as the board may determine. Bonds, notes or evidence of indebtedness may be issued with or without provision for calling the same prior to maturity and, if callable, may be made callable at par or at such premium as the board may determine. All bonds, notes or other evidences of indebtedness ~~shall~~ must be signed by the treasurer and countersigned by the ~~chairman~~ chair of the board of the district. All bonds, notes and evidences of indebtedness issued by the corporation ~~shall be~~ are legal obligations of the district, which is declared to be a quasi-municipal corporation within the meaning of the Maine Revised Statutes, Title ~~30~~ 30-A, section ~~5053~~ 5701. The provision that bonds, notes and evidences of indebtedness issued by the district ~~shall be~~ are legal obligations of the district ~~shall may~~ not be construed so as to prohibit the imposition by the district of fees and charges for the use of water and water service ~~or fees and charges for fire regulation, prevention or fire fighting~~. Subject to the provisions of this section and in addition to the purposes set forth in this section, the district may, from time to time, issue in one series or in separate series its bonds, notes and other evidences of indebtedness for the purpose of paying, redeeming or refunding outstanding bonds, notes or evidences of indebtedness and each authorized issue ~~shall constitute~~ constitutes a separate loan. All bonds, notes and evidences of indebtedness issued by the district ~~shall be~~ are legal investments for savings banks in the State and the interest ~~thereon~~ on bonds, notes and evidences of indebtedness and any ~~projects~~ profits from the sale ~~thereof shall be~~ of bonds, notes and evidences of indebtedness are tax exempt.

Sec. 9. 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 Town of Dover-Foxcroft at an election called for that purpose and held by September 30, 1999. 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 purpose of registration of voters, the registrar of voters must be in session the secular day preceding the election. The subject matter of this Act is reduced to the following question:

"Do you favor amending the charter of the Dover and Foxcroft Water District to authorize the transfer of the fire department to the Town of Dover-Foxcroft?"

The voters shall indicate by a 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 Dover-Foxcroft 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 September 30, 2001.

Effective pending referendum.

CHAPTER 28

S.P. 768 - L.D. 2158

An Act to Authorize Matinicus Isle Plantation to Implement a Disposal Fee for Motorized Vehicles

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

Whereas, the abandonment of motor vehicles on Matinicus Island has a detrimental impact on the scenic beauty of the island and poses a continuing threat to groundwater and surface water of the island; and

Whereas, the removal of abandoned vehicles from the island is easier in warm weather and the availability of ferry transportation service to remove the vehicles increases in warm weather; and