

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

positions terminate once the federal grant terminates. Any request to continue those positions beyond that date must be presented to the Legislature for approval.

**DEPARTMENT OF
THE ATTORNEY
GENERAL
TOTAL**

| | | |
|---------|-----------|-----------|
| \$9,714 | \$101,035 | \$106,526 |
|---------|-----------|-----------|

Emergency clause. In view of the emergency cited in the preamble, section 2 of this Act takes effect June 1, 1999.

Effective June 3, 1999, unless otherwise indicated.

CHAPTER 30

S.P. 718 - L.D. 2040

**An Act to Amend the Charter of the
Norridgewock 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 charter of the Norridgewock Water District requires a member of the board of trustees to be a resident of the district; and

Whereas, members of the board of trustees are residents of the town and not necessarily residents of the district; and

Whereas, the charter limits the salary of the treasurer to \$500 per year; and

Whereas, the treasurer's current salary is in excess of the charter limit; and

Whereas, in order to be able to maintain the current members and pay the treasurer's current salary, this legislation must be an emergency; 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 P&SL 1953, c. 84, §1, 2nd ¶ is repealed and the following enacted in its place:

The area within the district is composed of that part of the Town of Norridgewock bounded and described as follows: Beginning at a point which is the southwest corner of Map 14, Lot 10 on the Mercer Road, thence southeasterly in a straight line to the intersection of Dodlin Road, so called, and the Smithfield Road, thence northeasterly in a straight line, crossing the Martin Stream Road, to the northeasterly corner of Map 20, Lot 23 on the Waterville Road; thence northwesterly in a straight line to the northwesterly corner of Map 20, Lot 38 on the Skowhegan Road; thence westerly in a straight line across the Kennebec River to the southeasterly corner of Map 34, Lot 51; thence in a straight line to the intersection of Sophie May Lane and the Madison Road; thence southwesterly in a straight line across the Kennebec River to the point of beginning.

Sec. 2. P&SL 1953, c. 84, §8 is amended to read:

Sec. 8. Board of trustees. All the affairs of ~~said~~ the district ~~shall be~~ are managed by a board of 3 trustees, ~~resident herein~~ who shall be ~~must be~~ residents of the town and are appointed by the municipal officers of the town of Norridgewock. They ~~shall~~ hold office as ~~hereinafter~~ provided in section 9 and until their respective successors are appointed and qualified. Whenever the term of office of a trustee expires, the municipal officers of the town of Norridgewock shall appoint a successor to serve the full term of 3 years and in case of any other vacancy arising from any cause, it ~~shall~~ must be filled in like manner for the unexpired term. When any trustee ceases to be a resident of ~~said district~~ the Town of Norridgewock, ~~his~~ that trustee's office as trustee ~~shall be~~ is declared vacant. During ~~his~~ that trustee's term of office, no ~~selectman~~ municipal officer of ~~said~~ the town of Norridgewock ~~shall~~ may serve as a member of the board of trustees of the district.

Sec. 3. P&SL 1953, c. 84, §9, as amended by PL 1989, c. 64, §6, is further amended to read:

Sec. 9. Trustees; how elected; meetings; officers; vacancies filled for the unexpired term. The first board of trustees ~~shall be~~ is appointed within 10 days after the acceptance of this Act by the voters of ~~said~~ the district, 1 to serve until the 1st annual meeting of the district, 1 until the 2nd, and 1 until the 3rd such meeting. ~~Thereafter~~ After the initial appointment of trustees, 1 member shall be appointed ~~at the time of each annual meeting~~ on May 1st of each year to serve for a term of 3 years. As soon as convenient after their appointment, the trustees first appointed shall hold a meeting at some convenient place in the district, to be called by any member ~~thereof~~, in writing, designating the time and place, and delivered in hand to the other 2 members not less than 2 full days before the meeting; ~~provided, however, that as~~

long as they meet by agreement and waiver without such notice. They shall then organize by the election of a ~~chairman~~ chair and clerk from their own number, adopt a corporate seal and by-laws, and perform any other acts within the powers delegated to them by law. As necessary, they may choose agents and other ~~needful~~ officers who shall serve at their pleasure, and whose compensation ~~shall be~~ is fixed by ~~said the~~ trustees. They shall choose annually a treasurer to serve for a term of 1 year, fix the treasurer's salary; ~~which shall in no case exceed \$500 per year,~~ and fill vacancies in that office. The treasurer shall furnish a bond, issued in such sum and by a surety company as approved by the trustees, and the expense of securing the bond is to be borne by the district. Members of the board ~~shall be~~ are eligible to any office under the board, but ~~shall~~ may not receive compensation ~~therefor,~~ except as trustee, unless authorized by vote of the municipal officers of the town of Norridgewock.

The Notwithstanding the Maine Revised Statutes, Title 35-A, section 6410, subsection 7, the compensation of the chair may not exceed \$600 per year and the compensation of the other trustees shall may not exceed \$50 \$500 each per year, unless otherwise provided by vote, as above provided.

The trustees shall be sworn to the faithful performance of their duties as such, which shall include the duties of any member as clerk or clerk pro tempore. They shall make and publish an annual report, which ~~shall also contain~~ contains a report of the treasurer.

Sec. 4. P&SL 1953, c. 84, §10 is amended to read:

Sec. 10. Annual meeting of district; qualification of voters of district. After the acceptance of this charter and the organization of the board, the annual meetings of the district ~~shall~~ must be held within the district ~~on the 1st Monday of each March,~~ at such hour and place as may be designated by resolution of the board of trustees as provided in the by-laws. Notice ~~thereof of the meeting,~~ signed by the ~~chairman~~ chair or clerk of the board, ~~shall~~ must be conspicuously posted in 2 public places within the district, not less than 7 days before the meeting. Special meetings may be called by the board in like manner at any time, and notice of special meetings ~~shall~~ must state the business to be transacted ~~thereat at the special meeting.~~ Ten per cent of the voters qualified to vote in such meetings shall constitute a quorum. If for any reason a legally sufficient annual meeting is not held on the above date, a meeting in lieu thereof may be called in like manner to be held within 2 months from said date.

All persons resident in ~~said the~~ district and qualified to vote for ~~governor~~ Governor under the laws of this ~~state shall be~~ State are entitled to vote in any meeting of the district, including the meeting for acceptance of this charter.

Sec. 5. Retroactivity. The sections of this Act that amend Private and Special Law 1953, chapter 84, sections 8 and 9 are retroactive to February 23, 1995.

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

Effective June 3, 1999.

CHAPTER 31

S.P. 330 - L.D. 984

An Act to Allow the Town of Madrid to Deorganize

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

Sec. 1. Deorganization of Town of Madrid. The Town of Madrid in Franklin County is deorganized, except that the corporate existence, powers, duties and liabilities of the town survive for the purposes of prosecuting and defending all pending suits to which the town is, or may be, a party and all needful process arising out of any suits, including provisions for the payment of all or any judgments or debts that may be rendered against the town or exist in favor of any creditor.

Sec. 2. Unexpended school funds. The treasurer of the town or any other person who has custody of the funds of the town shall pay to the Treasurer of State all unexpended school funds that, together with the credits due the town for school purposes, are to be used by the State Tax Assessor to settle any school obligations contracted by the town before deorganization. Any unexpended school funds remaining with the Treasurer of State after all the obligations have been met must be added to the Unorganized Territory Education and Services Fund, as established in the Maine Revised Statutes, Title 36, chapter 115.

Sec. 3. Provision of education services. Notwithstanding any other law, this section entitles all kindergarten to Grade 8 pupils in Madrid to attend school in the Town of Phillips and all secondary school pupils to attend school within School Administrative District No. 58, upon deorganization. Pupils must be provided transportation at state expense to those schools.