

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

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.

Sec. 4. Assessment of taxes. The State Tax Assessor shall assess the real and personal property taxes in the Town of Madrid as of April 1, 2000 as provided in the Maine Revised Statutes, Title 36, chapter 115.

Sec. 5. Referendum; certificate to Secretary of State. Notwithstanding the Maine Revised Statutes, Title 30-A, section 7209, this Act takes effect when approved only for the purpose of permitting its submission by the municipal officers to the legal voters of the Town of Madrid by ballot at the next general election to be held in November. This election must be called, advertised and conducted according to Title 30-A, sections 2528 and 2532. The town clerk shall prepare the required ballots on which the clerk shall reduce the subject matter of this Act to the following question:

"Do you favor the deorganization of the Town of Madrid?"

The voters shall indicate their opinion on this question by a cross or check mark placed against the word "Yes" or "No." Before becoming effective, this Act must be approved by at least 2/3 of the legal voters voting at the general election, and the total number of votes cast for and against the acceptance of this Act at the election must equal or exceed 50% of the total number of votes cast in the town for Governor at the last gubernatorial election.

The municipal officers of the Town of Madrid shall declare the result of the vote. The town clerk shall file a certificate of the election result with the Secretary of State within 10 days from the date of the election.

Sec. 6. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Act.

	1999-00	2000-01
ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF		
Bureau of Revenue Services		
Personal Services	\$16,452	
All Other	3,950	
TOTAL	\$20,402	
Provides funds for a Property Tax Appraiser I position on a temporary basis effective January 1, 2000 to inventory and determine the valuation of		

all taxable property in the Town of Madrid.

Tree Growth Tax Reimbursement

All Other (\$31,000)

Deappropriates funds to reflect the reductions in tree growth tax reimbursements associated with the deorganization of the Town of Madrid.

DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES		
TOTAL	\$20,402	(\$31,000)

Sec. 7. Effective date. Sections 1 to 4 and section 6 of this Act take effect on July 1, 2000, if deorganization is approved by the voters of the Town of Madrid pursuant to section 5 of this Act.

Effective pending referendum.

CHAPTER 32

H.P. 867 - L.D. 1224

An Act Relating to Tree Growth Reimbursement

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

Whereas, several towns were ineligible for reimbursement for property tax loss resulting from classification under the tree growth tax law for program years 1997 and 1998 because their municipal valuation returns were not filed on time; and

Whereas, surplus funds are available in the appropriation for tree growth tax reimbursement in fiscal year 1998-99; and

Whereas, reimbursement for tree growth tax loss provides needed property tax relief; 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: