

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND NINETEENTH LEGISLATURE
SECOND REGULAR SESSION
January 5, 2000 to May 12, 2000

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
AUGUST 11, 2000

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
2000

the pay week closest to January 1, 2001, the salary schedules for employees in the Maine State Police bargaining unit must be adjusted by adding a new pay step 4% greater than the current highest step and eliminating the first step, consistent with the terms of the collective bargaining agreement.

Sec. A-7. New employees; similar and equitable treatment. Employees in classifications included in the Maine State Police bargaining unit but who are excluded from collective bargaining pursuant to the Maine Revised Statutes, Title 26, section 979-A, subsection 6, paragraphs E and F must be given equitable treatment on a pro rata basis similar to that treatment given employees covered by the collective bargaining agreement.

PART B

Sec. B-1. Transfer from Salary Plan program and special account funding. The Salary Plan program in the Department of Administrative and Financial Services may be made available as needed through allotment by financial order upon the recommendation of the State Budget Officer and approval of the Governor to be used for the implementation of collective bargaining agreements for state employees and for other economic items contained in this Act in fiscal years 1999-00 and 2000-01. Positions supported from sources of funding other than the General Fund and the Highway Fund must be funded whenever possible from those other sources.

Sec. B-2. Authorization for reimbursement of costs associated with contract resolution. The Department of Administrative and Financial Services may be reimbursed from the Salary Plan program for the costs of contract resolution, administration, implementation and other costs required by the process of collective bargaining and negotiation procedures.

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

Effective March 31, 2000.

CHAPTER 73

H.P. 1830 - L.D. 2566

An Act to Repeal the Fort Kent Utility District

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

Sec. 1. P&SL 1991, c. 103, as corrected by RR 1991, c. 2, §§181 and 182, is repealed.

See title page for effective date.

CHAPTER 74

H.P. 1856 - L.D. 2592

An Act to Amend the Charter of the Kennebunk Sewer District

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

Whereas, this legislation requires referendum approval before it can take effect; and

Whereas, this referendum is connected with the Town of Kennebunk town meeting to be held on June 13, 2000; and

Whereas, unless this legislation is enacted before that date, the referendum will require a special election, which would be a considerable financial burden to the Town of Kennebunk; 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 1955, c. 69, §1, as amended by P&SL 1999, c. 11, §1 and affected by §2, is further amended by inserting after the first paragraph a new paragraph to read:

The district is authorized to provide service outside the territory of the district to school buildings and facilities owned by Maine School Administrative District No. 71 and to municipal buildings and facilities owned by the Town of Kennebunk and may own such easements, rights-of-way, sewer lines and other facilities as are necessary or convenient to provide that service as long as the costs of locating and constructing sewer facilities located outside the boundaries of the district for that purpose are borne entirely by Maine School Administrative District No. 71 or the Town of Kennebunk and that any sewer facilities located outside the boundaries of the district for that purpose are used only by Maine School

Administrative District No. 71 or the Town of Kennebunk.

Sec. 2. P&SL 1955, c. 69, §2 is amended to read:

Sec. 2. Authority to contract and maintain. Within said territory and outside the territory to serve buildings and facilities owned by Maine School Administrative District No. 71 and the Town of Kennebunk, said Kennebunk Sewer District is ~~hereby~~ authorized to lay pipes, drains, sewers and conduits, and to take up, repair and maintain the same or to contract for the same to be done, in and along the public ways, private ways and public grounds, and through lands of any person or corporation as ~~herein~~ ~~after~~ provided in this Act, to and into tidal waters, rivers, watercourses or filtration plants or to or into any drain or sewer now or hereafter built ~~which that~~ empties into tidal waters, rivers or into any watercourse or filtration plant, the discharge ~~therefrom from~~ the watercourse or filtration plant to be at such points consistent with the requirements of public health as ~~shall be~~ found convenient and reasonable for said district and the flow of existing watercourses; also to construct and maintain filtration plants, pumping stations, basins, reservoirs, flush tanks and such other appliances for collecting, holding, purifying, distributing and disposing of sewage matter and surface or waste waters as may be necessary and proper; and in general, do any or all things incidental to accomplish the purposes of this ~~aet~~ Act.

Sec. 3. P&SL 1955, c. 69, §8, as amended by P&SL 1985, c. 97, §4, is further amended to read:

Sec. 8. Rights and obligations of abutters or others to enter. Any person may enter ~~his that~~ person's private sanitary sewer into any sewer of the district located within the territory of the district while the same is under construction and before completion of the sewer at the point of entry on obtaining a permit in writing from the trustees; but after the sewer is completed to the point of entry, ~~no a~~ a person may ~~not~~ enter ~~his that person's~~ person's private sanitary sewer into the sewer located within the territory of the district until ~~he that person~~ that person has paid the entrance charge and obtained a permit in writing from the trustees ~~as aforesaid~~. All such permits ~~shall~~ must be recorded by the district in its records before the same are issued.

The owner, or persons in possession, or against whom taxes are assessed, of all buildings or premises intended for human habitation, occupancy or use, abutting on a street located within the territory of the district in which there is a sewer maintained by this district, or if the buildings stand on premises ~~which that~~ that are benefited and to which sewer service is available, shall connect with the sewer in the most direct manner possible within 90 days after receiving

notice ~~thereof~~ from the sewer district, or within such further time as its trustees may grant, except as otherwise provided in the Maine Revised Statutes, Title 38, section 1252, subsection 3.

Sec. 4. 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 Kennebunk at the next regular town election to be held on June 13, 2000 or at a special town meeting to be called and held for the purpose within 3 months of the approval of this Act. This 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 town clerk to post a new list of voters. For the purpose of registration of voters, the registrar of voters must be in session on the secular day next preceding the election. The town clerk of the town shall prepare the required ballots, on which the town clerk shall reduce the subject matter of this Act to the following question:

"Do you favor authorizing the Kennebunk Sewer District to provide sewer service to school buildings and facilities owned by Maine School Administrative District No. 71 and municipal buildings and facilities owned by the Town of Kennebunk located outside the territory of the sewer district as long as the costs of locating and constructing any sewer facilities located outside the territory of the sewer district for that purpose are paid for and used only by Maine School Administrative District No. 71 or the Town of Kennebunk?"

The voters shall indicate by a cross or check mark placed against the words "Yes" or "No" their opinion of the same.

The result of the vote must be declared by the municipal officers of the Town of Kennebunk and due certificate must be filed by the town clerk with the Secretary of State.

Effective pending referendum.

CHAPTER 75

H.P. 1798 - L.D. 2525

An Act to Amend the Charter of the Small Point Water Company

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