

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND TWENTIETH LEGISLATURE
FIRST REGULAR SESSION
December 6, 2000 to June 22, 2001

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 21, 2001

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
2001

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

Sec. 1. P&SL 1897, c. 359, §1 is amended to read:

Sect. 1. Town of Deer Isle, divided; bounds; New Town of Stonington. All that part of the ~~town~~ Town of Deer Isle in the ~~county~~ County of Hancock and ~~state of Maine~~ the State, lying southerly of the following described lines, namely: Beginning at the center of Warren's bridge at South East Harbor, thence over the waters of Holt's pond westerly to the head of tide waters in said pond, at the southwesterly corner of lot number twenty-three, as shown on Peters' plan of said Deer Isle, at a granite post marked 'L;' thence northerly by lots numbered twenty-three and twenty-six to the Stephen Babbidge one hundred acre lot; thence by said Babbidge lot and common land southwesterly to the shore of George's pond; thence by the shore of said pond northwesterly to the southeasterly corner of the Samuel Small one hundred acre lot; thence by said Small's lot northerly seventy rods to the northeast corner of said lot; thence by said lot southwesterly to the head of Crockett's cove; thence by the thread of said cove southwesterly to the waters of Penobscot bay; together with all islands now belonging to the town of Deer Isle, lying southerly of said line extended westerly over the waters of Penobscot bay, and easterly through the waters of South East Harbor, leaving Bray's mountain and Stinson's neck on the north, and Whitmore's neck on the south, leaving Shabby Island to the northeast in Deer Isle and Eastern Mark Island in Stonington to the southwest, the line between the 2 islands Shabby and Eastern Mark to join the 1868 line that set off the Town of Deer Isle, together with the inhabitants thereof, is incorporated into a separate town by the name of Stonington, and said ~~town~~ Town of Stonington is hereby invested with all the powers and privileges and subject to all the duties and obligations incident to other towns of the ~~state~~ State.

Sec. 2. Retroactivity. This Act applies retroactively to April 1, 2000.

See title page for effective date.

CHAPTER 4

H.P. 25 - L.D. 25

An Act to Establish the Administrative Operating Budget for the Maine State Retirement System for the Fiscal Year Ending June 30, 2002

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

Whereas, the 90-day period may not terminate until after the beginning of the next fiscal year; and

Whereas, certain obligations and expenses incident to the operation of the Maine State Retirement System will become due and payable before the 90-day period may terminate; 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. Allocation of funds. Administrative operating expenses of the Maine State Retirement System for the fiscal year ending June 30, 2002 must be paid from the retirement system's Expense Fund in accordance with the following schedule.

2001-02

MAINE STATE RETIREMENT SYSTEM

Personal Services	\$6,292,676
All Other	2,760,570

MAINE STATE RETIREMENT SYSTEM

TOTAL ALLOCATIONS	\$9,053,246
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Sec. 2. Attribution of costs. The expenses identified in section 1 are attributed as follows.

2001-02

MAINE STATE RETIREMENT SYSTEM

General Fund	\$5,839,344
Non-General Fund	1,484,732
Participating Local District and Other	1,729,170

MAINE STATE RETIREMENT SYSTEM

TOTAL ATTRIBUTIONS	\$9,053,246
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Sec. 3. Transfers of allocations; year-end balances. Transfers of allocations and carry-forwards of unexpended balances must be carried out in accordance with the Maine Revised Statutes, Title 5, section 17103, subsection 13.

Sec. 4. Collective bargaining agreements approval. The allocations made in section 1 and the attributions made in section 2 include the amounts required to fund the collective bargaining agreements approved in Private and Special Law 1999, chapter 69.

Sec. 5. Authorization to expend retirement system reserve administrative operating funds. Of the amount authorized to be expended in section 1 for the administrative costs of the retirement system, \$400,000 must be provided from the system's reserve administrative operating funds.

Emergency clause. In view of the emergency cited in the preamble, this Act takes effect July 1, 2001.

Effective July 1, 2001.

CHAPTER 5

H.P. 118 - L.D. 122

An Act to Revise the Hampden Water District Charter

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

Sec. 1. P&SL 1937, c. 34, §8, 2nd ¶, last sentence is repealed.

Sec. 2. P&SL 1937, c. 34, §8, 3rd ¶, as amended by P&SL 1969, c. 34, §§2 and 3, is repealed and the following enacted in its place:

As soon as convenient after the initial members of the board are chosen, the trustees shall hold a meeting at the town councilors' office in the Town of Hampden, to be called by one of the trustees upon reasonable notice as the trustee determines proper. They shall organize by the election of a president and clerk, adopt a corporate seal and, when necessary, may choose a treasurer and all other needful officers and agents for the proper conduct and management of the affairs of the district. They may also ordain and establish bylaws as are necessary for their own convenience and the proper management of the affairs of the district. The trustees of said district holding office at the effective date of this act continue to hold office until their successors are elected and take office.

Sec. 3. P&SL 1937, c. 34, §8, as amended by P&SL 1969, c. 34, §§2 and 3, is further amended by adding at the end 2 new paragraphs to read:

The terms of trustees of the district are for 5 years. The trustees must be nominated and elected under the same procedure and at the same time as provided for the town councilors of the town.

The term of office of the trustees begins on the 3rd Thursday of January. In the event a vacancy arises in the membership of the board of trustees, the unexpired term of the vacant office must be filled by the Town Council of the Town of Hampden. When any trustee ceases to be a resident of the district, the trustee shall vacate the office of trustee and the vacancy must be filled pursuant to this section. All trustees are eligible for reelection, but a person holding the office of town councilor or road commissioner in the Town of Hampden is not eligible for nomination or election as trustee. The trustees may procure an office and incur expenses as may be necessary. Notwithstanding the Maine Revised Statutes, Title 35-A, section 6410, subsection 7, the compensation of the trustees and the treasurer of the board of trustees is determined by the board of trustees. At the close of each fiscal year, the trustees shall make a detailed report of their doings, of the receipts and expenditures of the water district, of its financial and physical condition and of any other matters and things pertaining to the district that will show the inhabitants of the district how the trustees are fulfilling the duties and obligations of their trust, such report to be made and filed with the Town Council of the Town of Hampden.

Sec. 4. P&SL 1937, c. 34, §10 is amended to read:

Sec. 10. Contracts for supplying water. ~~Said~~ The water district is hereby authorized to make contracts with the ~~town~~ Town of Hampden and with corporations and inhabitants of ~~said~~ the district, for the purpose of supplying water as contemplated by this act, and the ~~town~~ Town of Hampden by its ~~selectmen~~ town councilors is ~~hereby~~ authorized to enter into a contract with ~~said~~ the district for a supply of water for public uses on such terms and for such time as the parties may agree, which contract when made ~~shall be~~ is legal and binding on all parties ~~thereto~~ to the contract and ~~said town~~ the Town of Hampden for said purposes may raise money in the same manner as for other municipal charges.

Sec. 5. P&SL 1937, c. 34, §14 is amended to read:

Sec. 14. Qualified voters. In all elections ~~hereunder~~ under this act the ~~selectmen~~ town councilors of the ~~town~~ Town of Hampden shall exclude from their lists and from all check lists the legal voters who are resident outside the territorial limits of ~~said~~ the water district as defined in this act, and all warrant issued for elections ~~shall~~ must be varied accordingly to show that only the voters resident within the territorial limits of ~~said~~ the water district are entitled to vote ~~hereunder~~.

See title page for effective date.
