

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTIETH LEGISLATURE

SECOND REGULAR SESSION
January 2, 2002 to April 25, 2002

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
JULY 25, 2002

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
2002

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. Municipal cost components for services rendered. In accordance with the Maine Revised Statutes, Title 36, chapter 115, the Legislature determines that the net municipal cost component for services and reimbursements to be rendered in fiscal year 2002-03 is as follows:

Audit - Fiscal Administration	\$108,207
Education	10,452,001
Forest Fire Protection	150,000
Human Services - General Assistance	77,610
Property Tax Assessment - Operations	621,641
Maine Land Use Regulation Commission - Operations	197,177
TOTAL STATE AGENCIES	\$11,606,636
County Reimbursements for Services:	
Aroostook	\$626,178
Franklin	590,661
Hancock	105,824
Kennebec	5,694
Oxford	331,888
Penobscot	766,807
Piscataquis	514,639
Somerset	770,189
Washington	430,162
TOTAL COUNTY SERVICES	\$4,142,042
TOTAL REQUIREMENTS	\$15,748,678
COMPUTATION OF ASSESSMENT	
Requirements	\$15,748,678
Less Deductions:	
General -	
State Revenue Sharing	\$210,000
Homestead Reimbursement	100,000
Miscellaneous Revenues	50,000
Transfer from Undesignated Fund Balance	1,557,443
TOTAL	\$1,917,443
Educational -	
Lands Reserve Trust	\$110,000

Tuition - Travel	320,000
Miscellaneous	1,500
Special - Retirement	190,000
TOTAL	\$621,500
TOTAL DEDUCTIONS	(\$2,538,943)
TAX ASSESSMENT	\$13,209,735

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

Effective April 2, 2002.

CHAPTER 65

S.P. 800 - L.D. 2159

An Act to Amend the Charter of the Corinna Water District to Allow for the Appointment of Trustees

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

Whereas, the requirements in the charter of the Corinna Water District that all members of the board of trustees of the district be elected and be customers of the district have made it costly and difficult to fill those offices; and

Whereas, this legislation eliminates the need for costly elections and provides for more flexibility in the selection of a member of the board of trustees; 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 2001, c. 13, §§4 and 5 are repealed and the following enacted in their place:

Sec. 4. Trustees. The board of trustees of the district is composed of 3 trustees appointed by the municipal officers of the Town of Corinna. A trustee must be a resident of the district.

Sec. 5. Terms of trustees; vacancies. Trustees are appointed to 3-year terms. If a vacancy arises, it must be filled for the remainder of the unexpired term.

Sec. 2. P&SL 2001, c. 13, §8 is amended to read:

Sec. 8. Continuation of Corinna Water District. The purpose of this Act is to modernize the charter of the Corinna Water District, established under Private and Special Law 1947, chapter 86, using the Standard Water District Enabling Act. ~~The terms of office to which trustees of the Corinna Water District serving on the effective date of this Act were elected are unaffected by this Act. The trustees' successors are elected in accordance with this Act.~~ Except as specifically provided by this Act, nothing in this Act is intended to alter or affect or may be interpreted as altering or affecting any debts, liabilities, obligations, rights or privileges of the Corinna Water District.

Sec. 3. Transition provision. Trustees serving on the effective date of this Act continue to serve until their successors are appointed pursuant to this Act. Appointments must be made within 3 months of the effective date of this Act. The terms of the first trustees appointed pursuant to this section must be staggered so that the term of one trustee expires on March 31, 2003, the term of one trustee expires on March 31, 2004 and the term of one trustee expires on March 31, 2005.

Sec. 4. Existing trustees. The term of the trustee whose term expires on March 31, 2001 is extended until that trustee's successor is appointed pursuant to this Act. The term of the trustee whose term expires on March 31, 2002 is extended until the trustee's successor is appointed pursuant to this Act. Notwithstanding Private and Special Law 2001, chapter 13, section 4, trustees serving on the effective date of this Act are not required to reside in a household to which the district's service is provided. The provisions of this section are retroactive to March 31, 2001.

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

Effective April 2, 2002.

CHAPTER 66

S.P. 794 - L.D. 2147

An Act Providing for the Supply of Water to the City of Brewer

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

Whereas, this legislation authorizes submission of the issue of dissolution of the Brewer Water District to the voters of the City of Brewer at the June primary; 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. Transfer of assets of Brewer Water District. Upon the approval of a majority of the City Council of Brewer and the approval of a majority of the trustees of the Brewer Water District, the Brewer Water District shall expeditiously convey, assign and transfer to the City of Brewer for no consideration:

1. All physical and intangible assets of the Brewer Water District, including all cash, lands, water rights, waters, dams, reservoirs, mains, pipes, service pipes, hydrants, gates, gate-boxes, fixtures, machinery, tools, apparatus, appliances, structures and any other physical element necessary and convenient for providing pure water for domestic, commercial, sanitary and municipal purposes;

2. All valid and legally enforceable contracts or other obligations between the Brewer Water District and any 3rd party as of the effective date of this Act. The City of Brewer shall redeem or otherwise satisfy all nonassumable debt of the Brewer Water District; and

3. All permits, licenses and approvals of any municipal, state or federal entity or agency.

All property, contracts, obligations and franchises of the Brewer Water District must be conveyed subject to all debentures, bonds, mortgages, liens and encumbrances thereon, all of which must be assumed by the City of Brewer.

Sec. 2. Contractual obligations not impaired. In order to avoid any unconstitutional impairment of existing contractual rights that are valid and enforceable, the City of Brewer and, if necessary, the Brewer Water District shall enter into any contractual agreements necessary for the City of Brewer to fulfill any such contractual obligations of the Brewer Water District, including any existing financial obligations to the Brewer Water District's bondholders.

Sec. 3. Pledge of revenues. In order to carry out the purposes of this Act and notwithstanding the