

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 TWENTY-FIRST LEGISLATURE

FIRST SPECIAL SESSION
August 21, 2003 to August 22, 2003

The General Effective Date For
First Special Session
Non-Emergency Laws Is
November 22, 2003

SECOND REGULAR SESSION
January 7, 2004 to January 30, 2004

The General Effective Date For
Second Regular Session
Non-Emergency Laws Is
April 30, 2004

SECOND SPECIAL SESSION
February 3, 2004 to April 30, 2004

The General Effective Date For
Second Special Session
Non-Emergency Laws Is
July 30, 2004

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Penmor Lithographers
Lewiston, Maine
2004

Nothing in this section or section 13-A or 14-B exempts the district from otherwise applicable laws or rules, including, but not limited to, laws relating to the erection or removal of dams, the establishment of water levels, the sale of water power or the exercise of eminent domain.

Sec. 14-B. Power to take water. In addition to the authority granted under the Maine Revised Statutes, Title 35-A, chapter 64, the district is authorized to take, hold, divert, use and distribute water from Salmon Stream Pond situated in the Town of Guilford.

Sec. A-15. P&SL 1985, c. 107, Pt. B, §§15 and 16 are repealed.

Sec. A-16. P&SL 1985, c. 107, Pt. B, §16-A is enacted to read:

Sec. 16-A. Miscellaneous provisions; by-laws. The board of trustees may adopt bylaws as necessary for their own convenience and the proper management of the affairs of the district. This Act does not annul the existing bylaws and ordinances of the district in effect as of the effective date of this section, and those laws and ordinances remain in force until altered, amended or repealed except where in direct conflict with any provision of this Act.

Sec. A-17. P&SL 1985, c. 107, Pt. B, §17 is repealed.

PART B

Sec. B-1. Purpose. This Act is intended to update the charter of the Dover and Foxcroft Water District, to reorganize provisions for clarity and generally to conform the charter to the model standard water district charter that appears in the Maine Revised Statutes, Title 35-A, chapter 64.

Sec. B-2. Existing trustees. The trustees of the Dover and Foxcroft Water District holding office on the effective date of this Act hold office as trustees for the terms for which they were elected, and as each term expires one trustee must be elected by the registered voters of the district at the next annual meeting of the district to serve for a term of 3 years. The additional 2 trustees must be elected at the next annual meeting, one for a term of 2 years and one for a term of 3 years. If a vacancy arises, it must be filled for the remainder of the unexpired term.

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

Effective March 24, 2004.

CHAPTER 40

S.P. 722 - L.D. 1874

An Act To Amend the Charter of the South Berwick 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 South Berwick Water District is a public municipal corporation organized and existing under the laws of the State; and

Whereas, the South Berwick Water District desires to update and expand the current water treatment facility, and the needed funds will exceed the current borrowing capacity of the district; and

Whereas, the district needs an immediate increase in its borrowing authority in order to accomplish the needed replacements; 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 1959, c. 61, §11, first ¶, as amended by P&SL 1989, c. 11, §1, is further amended to read:

For accomplishing the purposes of this Act, and for such other expenses as may be necessary for the carrying out of ~~said~~ those purposes, ~~said~~ the district, through its trustees, without district vote, is authorized to borrow money temporarily and to issue therefor its negotiable notes; and for the purpose of renewing and refunding the indebtedness so created, of paying any necessary expenses and liabilities incurred under this Act, including organizational and other necessary expenses and liabilities whether incurred by the district or the Town of South Berwick, the district being authorized to reimburse ~~said~~ the Town of South Berwick for any such expense incurred by ~~it~~ the town and in acquiring properties, paying damages, laying pipes, mains, aqueducts and conduits, constructing, maintaining and operating a water plant or system and making renewals, additions, extensions and improvements to the same and to cover interest payments during the period of construction, ~~said~~ the district, through its trustees, without district vote, is also authorized to issue, from time to time, bonds, notes or other evidences of indebtedness of the district in one series, or in separate series, in such amount or

amounts, bearing interest at such rate or rates, and having such terms and provisions as the trustees shall determine; provided the total indebtedness of the district shall does not exceed the sum of \$4,000,000 \$5,200,000.

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

Effective April 6, 2004.

CHAPTER 41

H.P. 1431 - L.D. 1931

An Act To Provide for a Limited Transition Provision for Renewal of Certain Social Worker Licenses

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 the Department of Professional and Financial Regulation, State Board of Social Worker Licensure to issue renewal licenses to social workers who held valid licenses on September 13, 2003, prior to the enactment of new license requirements for licenses issued after January 1, 2004; and

Whereas, if the State Board of Social Worker Licensure is not granted additional authority, it will not be feasible for many social worker licensees to comply with the new requirements for licensure within the balance of their current license cycle and they will therefore be denied an opportunity to continue providing a valuable service to the citizens of the State; 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. Transition provisions. Notwithstanding the Maine Revised Statutes, Title 32, section 7060, subsections 1 and 2, the Department of Professional and Financial Regulation, State Board of Social Worker Licensure is authorized to delay application of the new consultation requirements to conditionally licensed social workers and licensed social workers who held valid licenses on September 13, 2003. The new consultation requirements, which became

effective on January 1, 2004, must be imposed on these licensees upon their timely application for renewal. These licensees will be accorded not less than 2 years but no more than 4 years to comply with the new consultation requirements. This transition is not intended to prevent timely consideration by the State Board of Social Worker Licensure of applications for renewal licensure for individuals who have or will have completed the required consultation requirements under Public Law 2003, chapter 429. The transition is intended to provide licensed and conditionally licensed social workers who were validly licensed on September 13, 2003 but who have not previously been subject to new consultation requirements to have the same time period as new licensees to satisfy consultation requirements.

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

Effective April 7, 2004.

CHAPTER 42

H.P. 1452 - L.D. 1953

An Act To Validate Certain Proceedings Authorizing the Issuance of Bonds and Notes by the Calais School District

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

Whereas, the management and control of public school buildings located in the City of Calais are vested in the Calais School District, which includes the territory of the City of Calais; and

Whereas, the State Board of Education has granted concept approval and design and funding approval for a school construction project to construct and equip additions and do renovations to Calais Elementary School and Calais High School; and

Whereas, at a first referendum held on May 29, 2002, the voters of the City of Calais voted to authorize the Board of Trustees of the Calais School District to expend an amount not to exceed \$8,824,585 for the project, to issue bonds or notes in the name of the Calais School District for school construction purposes in an amount not to exceed \$7,208,212 and to issue additional bonds or notes or other evidences of indebtedness in an amount not to exceed \$1,616,373 for zero-interest loans from the State's School Revolving Renovation Fund; and