

MAINE STATE LEGISLATURE

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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

CHAPTER 46**H.P. 1425 - L.D. 1925****An Act To Change the Names of
Certain Townships in the
Unorganized Territory**

Mandate preamble. This measure requires one or more local units of government to expand or modify activities so as to necessitate additional expenditures from local revenues but does not provide funding for at least 90% of those expenditures. Pursuant to the Constitution of Maine, Article IX, Section 21, 2/3 of all of the members elected to each House have determined it necessary to enact this measure.

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

Whereas, this legislation proposes referenda to ratify changing the names of the unorganized areas referred to currently as Township 5, Range 9, NWP, and located in Piscataquis County to Ebeemee and Township 17, Range 5, WELS, and located in Aroostook County to Cross Lake. The proposals result from the desires of residents of the townships to preserve the areas' identities and to provide efficiency for postal services and emergency 9-1-1 response; 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:

PART A

Sec. A-1. Ebeemee. Wherever the designation Township 5, Range 9, NWP, appears or reference is made to that unorganized territory, that designation or reference means Ebeemee.

Sec. A-2. Referendum for ratification. This Part must be submitted to the legal voters residing in the unorganized territory of Township 5, Range 9, NWP, in Piscataquis County. The date of the submission must be determined by the Piscataquis County Board of Commissioners but may not be later than 6 months after adjournment of the Second Special Session of the 121st Legislature. The Piscataquis County commissioners are authorized to expend such funds as necessary to implement the referendum.

The county commissioners shall cause the preparation of the required ballots, on which they shall state the subject matter of this Part in the following question:

"Do you favor changing the name of Township 5, Range 9, NWP, to Ebeemee?"

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

This Part takes effect immediately upon its acceptance by a majority of the legal voters voting at the election.

The result of the election must be declared by the Piscataquis County commissioners and due certificate filed with the Secretary of State.

PART B

Sec. B-1. Cross Lake. Wherever the designation Township 17, Range 5, WELS, appears or reference is made to that unorganized territory, that designation or reference means Cross Lake.

Sec. B-2. Referendum for ratification. This Part must be submitted to the legal voters residing in the unorganized territory of Township 17, Range 5, WELS, in Aroostook County. The date of the submission must be determined by the Aroostook County Board of Commissioners but may not be later than 6 months after adjournment of the Second Special Session of the 121st Legislature. The Aroostook County commissioners are authorized to expend such funds as necessary to implement the referendum.

The county commissioners shall cause the preparation of the required ballots, on which they shall state the subject matter of this Part in the following question:

"Do you favor changing the name of Township 17, Range 5, WELS, to Cross Lake?"

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

This Part takes effect immediately upon its acceptance by a majority of the legal voters voting at the election.

The result of the election must be declared by the Aroostook County commissioners and due certificate filed with the Secretary of State.

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

Effective pending referenda.

CHAPTER 47

S.P. 770 - L.D. 1935

An Act To Create the Starboard Water District

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

Whereas, water in the Town of Machiasport has been contaminated from a former radar transmission station and this poses a serious threat to the health and well-being of the inhabitants in the area; and

Whereas, an adequate supply of water is essential to the health and well-being of the inhabitants of the Town of Machiasport; 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. Territorial limits; corporate name.

Pursuant to the Maine Revised Statutes, Title 35-A, chapter 64, that part of the Town of Machiasport described as follows: Beginning at the outlet of Meadow Brook and Larrabee Cove, thence west along Meadow Brook to the northwest corner of Lot 45 (Map 7), thence due south along Lots 45, 45-5, 44 and Lot 45-6 (Map 7) to the northwest corner of Lot 36 (Map 7), thence west and south along Lot 19 (Map 10) to the intersection of Lot 20 (Map 10), thence west, south, and southeast along Lot 20 (Map 10) to the intersection of Lot 21 (Map 10), thence south along Lots 21, 22, 23, 24, and 25 (Map 10) to the intersection of Lot 4 (Map 9), thence west along the southern border of Lots 16 and 17 (Map 9) to the shore of Mill Pond, thence south along the coastline of Little Kennebec Bay to the Point of Maine, thence north along the coastline of Machias Bay to the point of the beginning; and its inhabitants constitute a standard district under the name "Starboard Water District," referred to in this Act as "the district."

Sec. 2. Powers; authority; duties. The district has all the powers and authority and is subject to

all requirements and restrictions provided in the Maine Revised Statutes, Title 35-A, chapter 64.

Sec. 3. Power to take water. For purposes of its incorporation, the district is authorized to take water from any source in the Town of Machiasport.

Sec. 4. Number of trustees. The board of trustees of the district is composed of 5 trustees.

Sec. 5. Election of first board. The first board is elected in an election called by the municipal officers of the Town of Machiasport within 6 months of approval of this Act by the voters in accordance with this Act. The terms of the first board are governed by the Maine Revised Statutes, Title 35-A, section 6410.

Sec. 6. Terms of trustees. After the election of the first board, trustees are elected to 3-year terms.

Sec. 7. 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 territory described in section 1 of this Act at an election called for that purpose and held by July 1, 2006. The election must be called by the municipal officers of the town and be held at the regular voting places. The 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 clerk to post a new list of voters. For the purpose of registration of voters, the registrar of voters must be in session the secular day preceding the election. The subject matter of this Act is reduced to the following question:

"Do you favor creating the Starboard Water District?"

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

The results must be declared by the municipal officers of the Town of Machiasport and due certificate of the results filed by the clerk with the Secretary of State.

This Act takes effect for all purposes immediately upon its approval by a majority of the legal voters voting at the election. Failure to achieve the necessary approval in any referendum does not prohibit subsequent referenda consistent with this section, provided the referenda are held prior to July 1, 2006.

Effective pending referendum.