

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-SECOND LEGISLATURE

SECOND SPECIAL SESSION
July 29, 2005

SECOND REGULAR SESSION
January 4, 2006 to May 24, 2006

THE GENERAL EFFECTIVE DATE FOR
SECOND SPECIAL SESSION
NON-EMERGENCY LAWS IS
OCTOBER 28, 2005

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
AUGUST 23, 2006

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

Penmor Lithographers
Lewiston, Maine
2006

holding office on the effective date of this Act hold office as water commissioners for the terms for which they were elected. The water commissioner whose term expires at the 2006 annual town meeting is eligible for election at the November 2006 municipal election, and that term is extended until June 30, 2007. The water commissioner whose term expires at the 2007 annual town meeting is eligible for election at the November 2007 municipal election, and that term is extended until June 30, 2008. The water commissioner whose term expires at the 2008 annual town meeting is eligible for election at the November 2008 municipal election, and that term is extended to June 30, 2009.

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

Effective March 24, 2006.

CHAPTER 44

S.P. 691 - L.D. 1774

An Act To Improve the Water Quality and Safety of Phillips Lake

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

Whereas, the following legislation is necessary to provide landowners the opportunity to request an adjudicatory hearing to establish a water level regime; and

Whereas, in order to provide for water level regime proceedings in a timely manner, taking into account the seasonal changes in water flow, it is necessary to begin the water level regime process before the usual date for nonemergency legislation; 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 2005, c. 17, §1 is amended to read:

Sec. 1. Lucerne-in-Maine Village Corporation authorized to construct, operate and maintain dam. The Lucerne-in-Maine Village

Corporation in the Town of Dedham, Hancock County is authorized to construct, operate and maintain a dam at the outlet at the north end of Phillips Lake in the Town of Dedham. ~~The~~ Unless a water level regime is established by the Commissioner of Environmental Protection pursuant to the Maine Revised Statutes, Title 38, chapter 5, subchapter 1, article 3-A, subarticle 4, the dam, including any flashboards, must be constructed, operated and maintained at no higher than 227 feet above sea level as established by the National Geodetic Survey and at a width that is no less than the current width of the dam.

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

Effective March 30, 2006.

CHAPTER 45

S.P. 774 - L.D. 2012

An Act Amending and Restating the Charter of The President and Trustees of Colby College

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

Whereas, the changes to the charter of Colby College set forth in this Act must take effect immediately so that the college can appoint or reappoint trustees in time for the annual board meeting held during the college's commencement exercises in May; 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. Name. The corporation created by Chapter CXXXI, enacted by the Senate and House of Representatives in General Court assembled of the Commonwealth of Massachusetts and approved by the Governor February 27, 1813, entitled "An Act to Establish a Literary Institution in the District of Maine, within this Commonwealth," and now known as "The President and Trustees of Colby College," is hereby continued as a body politic and corporate by that name forever.