

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE

FIRST REGULAR SESSION
December 1, 2010 to June 29, 2011

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Augusta, Maine
2011

brook that leads southeasterly into Far Meadow Brook and approximately seven hundred (700) feet westerly, as measured along the Town Line, of Far Meadow Brook (MCSW - North 447386.20, East 3189546.47) marked 'N' on the said survey plan; thence continuing South 78°09'51" West four thousand three hundred twenty-one and sixty-eight hundredths (4,321.68) feet to a 10 inch by 10 inch (10"x10") granite monument inscribed with letters 'W', 'W', and 'C' and 1896 found at the southwesterly bound of the Town of Warren and the northwesterly bound of the Town of Cushing at a point on the easterly boundary of the Town of Waldoboro (MCSW - North 446499.78, East 3185316.68) marked 'O' on the said survey plan; thence South 0°45'26" East seven hundred ninety-two and six hundredths (792.06) feet to a one (1) inch iron rebar with four (4) inch aluminum cap engraved "Cushing/Friendship/Waldoboro Town Line 2010" set in place of a loose and badly bent iron pipe found in a pile of stones (MCSW - North 445707.79, East 3185327.15) marked 'P' on the said survey plan; thence South 0°54'15" East eight thousand seven hundred forty-four and twenty-three hundredths (8,744.23) feet to a one (1) inch iron rebar with four (4) inch aluminum cap engraved "Cushing/Friendship Town Line 2010" set approximately six (6) feet southerly of the southerly edge of pavement of the Colonel Stairs Road (MCSW - North 436964.64, East 3185465.15) marked 'Q' on the said survey plan; thence continuing South 0°54'15" East two thousand one hundred eighty-six and no hundredths (2,186.00) feet to a five inch by five inch (5"x5") granite monument found (MCSW - North 434778.92, East 3185499.65) marked 'R' on the said survey plan; thence South 54°58'22" East five hundred fifty-one and twenty-eight hundredths (551.28) feet to a five inch by five inch (5"x5") granite monument found five (5) feet easterly of the easterly edge of pavement of Cushing Road (Route 97) (MCSW - North 434462.50, East 3185951.08) marked 'S' on the said survey plan; thence South 62°20'09" East one thousand forty-nine and forty-two hundredths (1,049.42) feet to a one (1) inch iron rebar with four (4) inch aluminum cap engraved "Cushing/Friendship Town Line 2010" set approximately twelve (12) feet westerly of the westerly edge of Meduncook River (MCSW - North 433975.27, East 3186880.53) marked 'T' on the said survey plan; thence continuing South 62°20'09" East twenty (20) feet more or less to the thread of Meduncook River (MCSW - approximately North 433969, East 3186892) marked 'U' on the said survey plan; thence following the irregular thread of Meduncook River Southerly seven (7) miles more or less to its intersection with the thread of Saint George River Southerly of Gay Island (MCSW - approximately North 400231, East 3175204) marked 'V' on the said survey plan; thence following the irregular thread of Saint George River Northeasterly twelve (12) miles more or less to the point of beginning.

Sec. 2. Municipal officers. The municipal officers of the Town of Cushing, Town of Friendship, Town of Warren, Town of Thomaston and Town of Waldoboro must sign the plotted plan as described in section 1 before it is filed with the Registry of Deeds.

See title page for effective date.

CHAPTER 5

H.P. 754 - L.D. 1018

An Act To Amend the Charter of the Anson Water District

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

Sec. 1. P&SL 1915, c. 200, §1, as amended by P&SL 2005, c. 51, §1, is further amended to read:

Sec. 1. Anson Water District created; purposes; territory. The following described territory and the inhabitants within the same constitute a body politic and corporate under the name of the Anson Water District, for the purpose of supplying the inhabitants of the district with pure water for domestic, sanitary and municipal purposes, to wit: So much of the Town of Anson, in Somerset County, as is described as follows:

Starting at the intersection of New Portland Road and the Anson town line bordering the Town of Embden; thence in a southeasterly direction along New Portland Road to a point ~~69°55'12.66"W, 44°52'27.82"N~~ 44°51'32.58"N; thence in a southwesterly direction to a point ~~69°55'27.95"W, 44°49'7.33"N~~ 69°55'28.44"W, 44°49'6.98"N; thence in a southerly direction to the intersection of Pease Hill Road and West Mills Road; thence in a southwesterly direction along West Mills Road to the intersection of West Mills Road and Mayhew Road; thence in a southerly direction along Mayhew Road to the intersection of Mayhew Road and the Anson town line bordering the Town of Starks; thence in a northeasterly direction along the Anson town line to the border of the Town of Madison; thence in a northerly direction along the Anson town line bordering the Town of Madison to the corner of the Anson town line bordering the Town of Embden and the Town of Solon; thence in a southwesterly direction along the Anson town line to the starting point.

Sec. 2. P&SL 1915, c. 200, §6, as amended by P&SL 2005, c. 51, §3, is repealed and the following enacted in its place:

Sec. 6. Board of trustees. All the affairs of the water district are managed by a board of trustees composed of 3 members, who are residents and voters in the district. Whenever the term of office of a trustee expires by the trustee's removal from the water district or otherwise, the legal voters of the water district shall elect a successor to serve for a full term of 3 years; and if any other vacancy occurs, it may be filled in like manner for the unexpired term. Nominations and elections of trustees are conducted in accordance with the laws relating to municipal elections by secret ballot according to the Maine Revised Statutes, Title 30-A, section 2528. The annual meeting occurs at a time and place designated by the trustees. The annual meeting for the election of officers occurs at a time and place designated by the trustees. As soon as is convenient after the board of trustees has been elected, the trustees shall hold a meeting and organize by the election of a chair and clerk, adopt a corporate seal and choose a treasurer and all other needful officers and agents for the proper management of the affairs of the water district. Each member is entitled to compensation as set by the trustees for the member's services for each and every regular and special meeting of the board at which the member is in attendance. The water district, at any legal meeting of the water district called for the purpose, may adopt such bylaws and provisions, not inconsistent with the Constitution of Maine and laws of this State and of the United States, as the water district may determine expedient and necessary for the good government and regulation of the affairs of the water district, in which case, the bylaws and provisions so adopted apply to the water district as fully, to all intents and purposes, as the other provisions of this Act, subject to alterations and additions, only by a 2/3 vote of all the legal voters of the water district present and voting at a legal meeting of the water district called for the purpose.

Sec. 3. Current trustees. Trustees of the Anson Water District serving on the effective date of this Act continue to serve for the terms for which they were elected.

See title page for effective date.

CHAPTER 6

H.P. 657 - L.D. 890

An Act To Create the Anson and Madison Water District

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

Whereas, the residents of the towns of Madison and Anson are in immediate need of forming a quasi-

municipal regional entity to supply potable water within those towns; 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, section 6403, subsection 1, paragraphs A and B and subject to section 8 of this Act, the territory and the inhabitants of the Town of Madison and the Town of Anson constitute a standard water district under the name "Anson and Madison Water District," referred to in this Act as "the district."

Sec. 2. Powers; authority; duties. Except as otherwise expressly provided in this Act, the district has all the powers and authority and is subject to all the requirements and restrictions provided in the Maine Revised Statutes, Title 35-A, chapter 64, and is authorized to perform all acts and to do all things necessary or convenient to carry out the purposes and powers provided in this Act or reasonably implied from those purposes and powers.

Sec. 3. Authority to take water and locate, construct and maintain dams, reservoirs, pipes, aqueducts and other structures and improvements. Notwithstanding any provision in the Maine Revised Statutes, Title 35-A, section 6404 to the contrary, the district has the power and authority to take, hold and convey water and to locate facilities as set forth in this section. The district is authorized to take, to hold and to convey within the Town of Madison and the Town of Anson and from any part of those towns water from any surface and groundwater source within the towns, including without limitation the Kennebec River, Wesserunsett Lake, also known as Hayden Lake, and Marshall's Pond. Pursuant to Title 35-A, section 6403, subsection 2, paragraph D, the district is authorized to take, to hold and to convey within the Town of Embden water from Hancock Pond, Sand Pond, Black Hill Pond, Mill Stream and Embden Pond and any of the tributary lakes and streams of those ponds and that stream. The district is authorized to erect, maintain and operate dams, reservoirs, gates, hydrants, standpipes and all other structures and improvements necessary or convenient for accomplishing the purposes of this Act and to lay down, maintain and operate pipes, aqueducts and all other structures and improvements necessary or convenient for accumulating, conducting, discharging, distributing and disbursing water, for forming proper reservoirs for those purposes and for accomplishing the purposes of this Act. Pursuant to Title 35-A, sec-