

# 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**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 28, 2011**

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

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**Augusta, Maine**  
**2011**

the Maine Revised Statutes, Title 38, section 1201. The district may issue its notes and bonds in one series or in separate series from time to time, as long as the aggregate outstanding principal balance at any one time does not exceed \$22,000,000 unless a higher debt obligation limit is approved pursuant to section 10-A.

**Sec. A-11. P&SL 1947, c. 169, §10-A**, as enacted by P&SL 1997, c. 74, §5, is repealed and the following enacted in its place:

**Sec. 10-A. Increases in the debt obligation limit.** The district is authorized to increase its debt obligation limit pursuant to the Maine Revised Statutes, Title 38, section 1256. The district shall hold a referendum on any increase in its debt obligation pursuant to Title 38.

**Sec. A-12. P&SL 1947, c. 169, §10-B** is enacted to read:

**Sec. 10-B. State and federal aid or grants.** For accomplishing the purposes of this charter, the district through its trustees without vote of the inhabitants may receive state and federal aid or grants.

**Sec. A-13. P&SL 1947, c. 169, §11**, as amended by P&SL 1977, c. 90, §15, is repealed.

**Sec. A-14. P&SL 1947, c. 169, §12**, as repealed and replaced by P&SL 1977, c. 90, §16, is repealed and the following enacted in its place:

**Sec. 12. Rates.** All individuals, firms and corporations, whether public, private or municipal, shall pay to the treasurer of the district rates pursuant to the Maine Revised Statutes, Title 38, section 1202. The district may assess a readiness-to-serve charge pursuant to Title 38, section 1202 but only against owners or persons in possession or against whom the taxes are assessed of all buildings or premises intended for human habitation or occupancy, whether the same are occupied or not, that abut on a street or location through which the district has constructed a sewer line, or the building of which is within 200 feet of a sewer line constructed by the district, although the premises are not actually connected to the sewer line.

**Sec. A-15. P&SL 1947, c. 169, §13-E**, as enacted by P&SL 1957, c. 153, §5-D, is repealed and the following enacted in its place:

**Sec. 13-E. Town council review.** Prior to proposing any amendment to this charter to the Legislature, the trustees shall present the amendment to the town council of the Town of Sanford for review and comment.

**Sec. A-16. P&SL 1947, c. 169, §13-F**, as enacted by P&SL 1977, c. 90, §18, is repealed.

**Sec. A-17. P&SL 1947, c. 169, §13-G**, as enacted by P&SL 1977, c. 90, §18, is repealed.

**Sec. A-18. P&SL 1947, c. 169, §13-H**, as enacted by P&SL 1977, c. 90, §18, is repealed.

## PART B

**Sec. B-1. Trustees; transition.** The trustee of the Sanford Sewerage District in office on the effective date of this Act whose term ends in 2011 may continue in office until the next Town of Sanford municipal election after the effective date of this Act. At that election, the trustee who succeeds the trustee whose term ends in 2011 is elected to a 3-year term, and the 2 new trustees established in this Act are elected as follows: one must be elected to a 2-year term and one to a 3-year term. When the term of office of a trustee expires, that trustee's successor is elected in accordance with this Act.

See title page for effective date.

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## CHAPTER 12

### H.P. 1160 - L.D. 1577

#### An Act To Amend the Winthrop Utilities District Charter

**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 Winthrop Utilities District does not have a provision in its charter to file a lien for nonpayment of utility rates; and

**Whereas**, without such a provision the district is unable to file a lien for nonpayment of utility rates; and

**Whereas**, there are customers of the district who have failed to pay the rates due; and

**Whereas**, the inability to file liens for nonpayment of utility rates is causing financial hardship for the district; and

**Whereas**, to provide the district with the authority to file a lien for nonpayment of rates, it is necessary that the following legislation take effect immediately; 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 1923, c. 98, §15-B** is enacted to read:

**Sec. 15-B. Collection of rates and assessments.** The collection of rates and assessments by the treasurer of the district is governed by the Maine Revised Statutes, Title 38, sections 1203, 1204, 1205, 1206, 1207, 1207-A, 1208 and 1208-A. Any notice of impending automatic foreclosure issued by the district pursuant to section 1208 must bear the name "Winthrop Utilities District" in all appropriate locations.

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

Effective June 2, 2011.

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**CHAPTER 13**

**H.P. 226 - L.D. 278**

**An Act To Allow the Towns of  
Mapleton, Castle Hill and  
Chapman To Adopt a Policy  
To Simplify the Municipal  
Disbursement Warrant Process**

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

**Sec. 1. P&SL 2005, c. 31, §1** is amended by adding at the end a new paragraph to read:

Notwithstanding the Maine Revised Statutes, Title 30-A, section 5603, the municipal officers in each town may adopt a written policy to permit the disbursement of money when a disbursement warrant has been signed by one or more designated municipal officers representing each town. A facsimile signature of the municipal officers may be used. The policy must be filed with the town clerk and municipal treasurer in each town and renewed annually by a vote of the municipal officers in each town.

See title page for effective date.

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**CHAPTER 14**

**S.P. 499 - L.D. 1561**

**An Act To Create the  
Nickerson Lake Sewer 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,** in order to protect the water quality of Nickerson Lake, a sewer district must be immediately established; 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; purpose.** The territory of the Town of New Limerick and the Town of Linneus described as follows: Beginning at a point on the north shore of Nickerson Lake and the southeast corner of Lot 30 of the Town of New Limerick tax map #13, latitude 46° 5' 46.45" N, longitude 67° 54' 48.99" W, presently owned by Travis Kearney; thence at a bearing of 51 degrees to a point on the southwest line of Lot 4 of the Town of New Limerick tax map #6, latitude 46° 5' 48.22" N, longitude 67° 54' 45.68" W, presently owned by Richard Mitchell; thence along the southwest and south property lines of said Mitchell property to the intersection of the Crescent Park Road and Aspen Lane, latitude 46° 5' 42.35" N, longitude 67° 54' 33.18" W; thence along the centerline of Aspen Lane to the point at which it crosses the outflow of Nickerson Lake, latitude 46° 5' 26.48" N, longitude 67° 54' 27.37" W; thence along the centerline of said outflow to the east shore of Nickerson Lake in the Town of Linneus; thence along the north shore of Nickerson Lake to the point of beginning; and its inhabitants constitute a body politic and corporate under the name of Nickerson Lake Sewer District, referred to in this Act as "the district," for the purpose of providing wastewater treatment services, including subsurface wastewater collection, treatment and disposal services.

**Sec. 2. Powers as sewer district.** The district may construct, manage, operate and maintain wastewater treatment facilities, including one or more subsurface disposal systems. It may contract for necessary and appropriate services, including, but not limited to, pumping, treating and disposal services, and do any or all other things necessary or incidental to accomplish the purposes of this Act.

Except as otherwise expressly provided in this Act, the district, for the purposes of supplying the Town of Linneus and the Town of New Limerick and their inhabitants and others within the territory of the district with sewer services, has all the powers, rights, privileges and authority and is subject to all the requirements and restrictions of a sanitary district formed under the Maine Revised Statutes, Title 38, chapter 11, except that sections 1061, 1062, 1063, 1101, 1101-A, 1102 and 1103; section 1104, subsection 1; and sections 1105, 1106 and 1151-A do not apply to the district and any notice of impending automatic foreclosure issued by the district pursuant to section 1208 must bear the name "Nickerson Lake