

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 scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)



124th MAINE LEGISLATURE

SECOND REGULAR SESSION-2010

Legislative Document

No. 1601

S.P. 607

In Senate, December 18, 2009

An Act To Create the Lincolnville Sewer District

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Received by the Secretary of the Senate on December 18, 2009. Referred to the Committee on Utilities and Energy pursuant to Joint Rule 308.2 and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator WESTON of Waldo.
Cosponsored by Representative THIBODEAU of Winterport.

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

2 **Sec. 1. Territorial limits; corporate name; purpose.** The territory of the
3 Town of Lincolnville described as follows: Beginning at a point on the shore of the
4 Atlantic Ocean at the ferry terminal 44° 16' 49.4826" latitude and -69° 0' 21.4128"
5 longitude; thence in a southwesterly direction 44° 16' 40.7856" latitude and -69° 0'
6 36.9390" longitude to Route 1 at Dickenson; thence in a northwesterly direction 44° 17'
7 9.1032" latitude and -69° 0' 58.3740" longitude to Route 173; thence in a northeasterly
8 direction 44° 17' 18.1284" latitude and -69° 0' 30.3336" longitude to Route 1 at Windsor
9 Chair; thence in a southeasterly direction 44° 17' 12.8904" latitude and -69° 0' 18.4328"
10 longitude to the shore of the Atlantic Ocean; thence southerly along the shore to the point
11 of beginning; and its inhabitants constitute a body politic and corporate under the name of
12 Lincolnville Sewer District, referred to in this Act as "the district," for the purpose of
13 supplying the town and its inhabitants and others within the territory of the district with
14 sewer services.

15 **Sec. 2. Powers as sewer district.** Except as otherwise expressly provided in this
16 Act, the district, for the purpose of supplying the Town of Lincolnville and its
17 inhabitants and others within the territory of the district with sewer services, has all the
18 powers, rights, privileges and authority and is subject to all the requirements and
19 restrictions of a sanitary district formed under the Maine Revised Statutes, Title 38,
20 chapter 11, except that sections 1062, 1101, 1102, 1103, 1104, 1105, 1106 and 1162 do
21 not apply to the district and any notice of impending automatic foreclosure issued by the
22 district pursuant to section 1208 must bear the name "Lincolnville Sewer District" in all
23 appropriate locations.

24 **Sec. 3. Powers and authority as water utility.** Except as otherwise expressly
25 provided in this Act, the district, for the purposes of performing the functions of a water
26 utility, has all the powers, rights, privileges and authority and is subject to all the
27 requirements and restrictions of a standard water district under the Maine Revised
28 Statutes, Title 35-A, chapter 64.

29 **Sec. 4. Additional powers.** The district has the authority to provide water and
30 wastewater service to the customers of the district and to residents in the Town of
31 Lincolnville outside the territory described in section 1.

32 **Sec. 5. Number of trustees.** The board of trustees of the district is composed of 3
33 trustees. Trustees must be residents and voters of the Town of Lincolnville.

34 **Sec. 6. First board.** The first board is appointed by the municipal officers of the
35 Town of Lincolnville in accordance with this Act. The terms of the first board are
36 governed by the Maine Revised Statutes, Title 38, section 1105.

37 **Sec. 7. Terms of trustees.** After the appointment of the first board of trustees of
38 the district, trustees are elected to 3-year terms.

39 **Sec. 8. Eminent domain.** The district has no eminent domain authority outside
40 the district.

