

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE

ONE HUNDRED AND TENTH LEGISLATURE

FIRST REGULAR SESSION
December 3, 1980 to June 19, 1981

AND AT THE

FIRST SPECIAL SESSION
August 3, 1981

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**PRIVATE AND
SPECIAL LAWS**

OF THE

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1981

the municipal officers, or for Edmunds and Trescott, the Washington County Commissioners, but shall not be later than the 2nd Wednesday of April, 1982. Such special elections shall be called, advertised and conducted according to the law relating to municipal elections; except that the board of registration shall not be required to prepare nor the municipal clerk to post a new list of voters, and the registrars of voters shall be in session to register voters between the hours of 12 noon and 8 p.m. on the day prior to and the day of the election. The municipal clerk shall reduce the subject matter of this Act to the following question:

“Shall an Act to incorporate the Cobscook Bay Tidal Power District be accepted?”

The voters shall indicate by a cross (X) or check mark (✓) placed against the word “Yes” or “No” their opinion of the same. This Act shall take effect for all of its purposes immediately upon its acceptance by a majority of the legal voters of the district voting at the elections, but only if the total number of votes cast for and against the acceptance of this Act in the special elections equals or exceeds 15% of the total vote for all candidates for Governor in the municipalities at the next previous gubernatorial election; but failure of approval by the necessary majority or percentage of voters shall not prevent subsequent elections.

The results of the election shall be declared by the municipal officers or, for Edmunds and Trescott, the County Commissioners, and due certificates of the results shall be filed by the municipal and county clerks with the Secretary of State.

Effective pending referendum

CHAPTER 52

H. P. 290 — L. D. 334

AN ACT to Amend the Charter of the York Sewer District.

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

Sec. 1. P&SL 1951, c. 63, § 3, first ¶, last 2 sentences, as repealed and replaced by P&SL 1967, c. 63, § 2, are repealed and the following enacted in their place:

In the event a vacancy arises in the membership of the board of trustees, the vacant office shall be filled by the municipal officers until the next regular municipal election at which a trustee shall be elected to fill the unexpired term. All trustees are eligible to reelection, but municipal officers of the Town of York are not eligible to nomination or election as trustees.

Sec. 2. P&SL 1951, c. 63, § 3, 2nd ¶, as repealed and replaced by P&SL 1967, c. 63, § 2, is repealed and the following enacted in its place:

After each annual municipal election of the Town of York, the trustees shall organize by the election of a chairman, vice-chairman, treasurer and clerk. The trustees may adopt a corporate seal, and, when necessary, may choose other needful officers and agents for the proper conduct and management of the affairs of the district. They may also ordain and establish such bylaws as are necessary. The trustees may procure an office and incur such expenses as may be necessary. The trustees shall receive compensation on the basis of \$40 for each meeting actually attended and reimbursement for travel and expenses, the total not to exceed \$900 each year, but the chairman and treasurer may be allowed such additional compensation as the trustees shall determine, not to exceed \$250 each year. At the close of each fiscal year, the trustees shall make a detailed report of their doings, of the receipts and expenditures of the sewer district, of its financial and physical condition and of other matters and things pertaining to the district and show the inhabitants thereof how the trustees are fulfilling the duties and obligations of their trust. This report is to be made and filed with the municipal officers.

Sec. 3. P&SL 1951, c. 63, § 8, 2nd ¶, is repealed and the following enacted in its place:

Every building in the district intended for human habitation or occupancy or with facilities for discharge or disposal of sewage or commercial or industrial waste, which is accessible to a sewer or drain of the district, shall have a sanitary sewer or drainage system which shall be caused to be connected with such sewer or drain of the district by the owner or person against whom taxes on the premises are assessed, in the most direct manner possible, within 90 days after receiving request therefor from the district, or within such further time as the trustees of the district may grant, and, if feasible, with a separate connection for each building. Existing buildings which are already served by a private sewer or drainage system shall not be required to connect with any sewer or drain of the district as long as the private sewer or drainage system functions in a satisfactory and sanitary manner, and does not violate any law or ordinance applicable thereto or any applicable requirement of the State of Maine Plumbing Code, as determined by the municipal plumbing inspector, his alternate or, in the event that both are trustees or employees of the district, the Department of Human Services, Division of Health Engineering. A building is deemed to be accessible to a sewer or drain of the district for the purposes of this section if that building, or any private sewer or drain directly or indirectly connected thereto or carrying sewage or commercial or industrial waste therefrom, shall at any point be or come within 100 feet of a sewer or drain of the district; provided that nothing in this section shall require the owner of any such building to acquire any real property or easement therein for the sole purpose of making such connection. The officers or agents of the district shall have free access to all premises served by its sewers, at all reasonable hours, for inspection of plumbing and sewage fixtures, to ascertain the quality and quantity of sewage discharged and the manner of discharge and to enforce the provisions of this chapter and the rules prescribed by the trustees of the district.

Sec. 4. P&SL 1951, c. 63, § 9 is repealed and the following enacted in its place:

Sec. 9. Contracts authorized. The district is authorized to contract with persons, corporations, districts, the Town of York and other municipalities, both inside and outside the boundaries of the district, and with the State of Maine and the United States Government or any agency of either, to provide for disposal of sewage and commercial and industrial waste water through the district's system and through the system of any such person, corporation, district or other municipality; and every other district and municipality of the State may contract with the district for the collection, distribution, treatment and disposal of sewage and commercial and industrial waste water, and for those purposes any such municipality may raise money as for other municipal charges.

Sec. 5. P&SL 1951, c. 63, § 12 is repealed.

Sec. 6. P&SL 1951, c. 63, §§ 13, 14 and 15 are renumbered to be sections 12, 13 and 14, respectively.

Sec. 7. P&SL 1951, c. 63, § 16, as last amended by P&SL 1971, c. 160, is renumbered to be section 15.

Sec. 8. P&SL 1951, c. 63, § 17, as amended by P&SL 1955, c. 70, § 3, is renumbered to be section 16.

Sec. 9. P&SL 1951, c. 63, § 18, as repealed and replaced by P&SL 1955, c. 70, § 4, is renumbered to be section 17.

Sec. 10. P&SL 1951, c. 63, § 19, as amended by P&SL 1979, c. 76, is renumbered to be section 18.

Sec. 11. P&SL 1951, c. 63, §§ 23 and 24, as renumbered by P&SL 1955, c. 70, § 7, are further renumbered to be sections 19 and 20.

Sec. 12. P&SL 1951, c. 63, § 22, as renumbered by P&SL 1955, c. 70, § 7, and P&SL 1967, c. 63, § 6, is further renumbered to be section 21.

Sec. 13. P&SL 1951, c. 63, § 23, as enacted by P&SL 1967, c. 63, § 7, is renumbered to be section 22.

Sec. 14. P&SL 1951, c. 63, § 23 is enacted to read:

Sec. 23. Amendments. Upon adoption of a resolution of the trustees proposing an amendment to the charter, the municipal officers shall submit the proposed amendment to the voters of the town at an election. This election shall be announced by a notice containing the complete text of the proposed amendment and published in one or more newspapers of general circulation in the town at least 30 days prior to the date of election. The election shall be held not less than 60 nor more than 120 days after the adoption of the resolution by the trustees. The form of the ballot shall be as specified by the general law for the amendment of

municipal charters. The district shall mail notice of the proposed amendment and the election to each ratepayer at least 14 days prior to the election.

If a majority of the qualified voters of the town voting upon a proposed charter amendment vote in favor of it, the amendment shall become effective at the time fixed in the amendment or, if no time is fixed in the amendment, 30 days after its adoption by the voters.

Effective September 18, 1981

CHAPTER 53

H. P. 1406 — L. D. 1571

AN ACT to Amend the Charter of the North Yarmouth Water District.

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

Sec. 1. P&SL 1957, c. 131, § 7 is repealed and the following enacted in its place:

Sec. 7. Reports and meetings. A complete report of the doings of the district shall be rendered annually which report may be given as a part of the town report of the Town of North Yarmouth. All persons resident in the district and qualified to vote for Governor under the laws of this State shall be entitled to vote in any meeting of the district.

Sec. 2. P&SL 1957, c. 131, § 8, first sentence is amended to read:

After the meeting of the voters of the district for acceptance of this charter and after the organization of the board under section 6, the trustees shall have the same powers and perform the same duties as otherwise are exercised and performed by the selectmen of towns in correcting and preparing lists of the persons qualified to vote in said the district and for that purpose they shall be in session at the place designated for holding the meeting between the hours of 10 o'clock in the forenoon and 12 o'clock noon on the secular day next before the date of every meeting, and also 2 hours before the opening of the meeting, and notice thereof shall be given in the call of the meeting.

Sec. 3. P&SL 1957, c. 131, § 12, 2nd ¶, first sentence, as amended by P&SL 1975, c. 111, is further amended to read:

Said the bonds, notes and evidences of indebtedness may be issued to mature serially or made to run for such periods as the trustees may determine, but none of them shall run for a longer period than 40 years from the date of original issue