

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND TWELFTH LEGISLATURE

SECOND REGULAR SESSION
January 8, 1986 to April 16, 1986

SECOND SPECIAL SESSION
May 28, 1986 to May 30, 1986

AND AT THE

THIRD SPECIAL SESSION
October 17, 1986

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

J.S. McCarthy Co., Inc.
Augusta, Maine

**PRIVATE AND
SPECIAL LAWS**

OF THE

STATE OF MAINE

AS PASSED AT THE
SECOND REGULAR SESSION

of the

ONE HUNDRED AND TWELFTH LEGISLATURE

1985

"Shall the Freeport Sewer District be authorized to acquire the Freeport Branch of the Maine Water Company?"

The voters shall indicate by a cross or check mark placed against the words "Yes" or "No" their opinion of the same.

The results shall be declared by the municipal officers of the Town of Freeport and due certificate thereof filed by the clerk with the Secretary of State.

This Act shall take effect for all its purposes immediately upon its acceptance by a majority of all legal voters in the Freeport Sewer District voting at the special election. Failure of the approval by the necessary majority of voters at any such election shall not prevent a subsequent election to be held for that purpose.

Effective pending referendum.

CHAPTER 97

H.P. 1417 - L.D. 2001

AN ACT to Amend the Charter of the Sewer District of the Town of Kennebunk.

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

Sec. 1. P&SL 1955, c. 69, §3, 2nd and 3rd ¶¶ are repealed and the following enacted in their place:

The terms of the trustees of the district in office on the date of this Act shall expire at midnight on the day of the annual town meeting of the Town of Kennebunk occurring in the year in which those terms would have expired under the law in effect at the time of their elections. Thereafter, the trustees of the district shall be elected at the annual town meeting of the Town of Kennebunk to serve until the annual town meeting occurring 5 years after their elections. Vacancies occurring after the effective date of this provision shall be filled for the unexpired term by the municipal officers of the Town of Kennebunk, unless the vacancy occurs within 3 months prior to the next annual town meeting, in which event

the vacancies shall be filled at the annual town meeting. Whenever any trustee ceases to be a resident of the district, he vacates his office.

At an organizational meeting to be held on the first Thursday following the annual town meeting, the trustees shall elect from their own number a chairman, a clerk and a treasurer, and shall adopt bylaws and perform any other acts within the powers delegated to them by law. They may choose and fix the compensation of any other necessary officers and agents who shall serve at their pleasure. The treasurer shall furnish bond in such sum and with such sureties as the trustees shall approve, the cost of the bond to be paid by the district. Members of the board of trustees shall be eligible to any office under the board. The trustees as such shall serve without compensation; but the treasurer may be allowed such compensation as the trustees shall determine.

Sec. 2. P&SL 1955, c. 69, §4 is repealed and the following enacted in its place:

Sec. 4. Eminent domain; authority and procedures. The Kennebunk Sewer District shall have and exercise the power of eminent domain in accordance with the Maine Revised Statutes, Title 38, section 1252, subsection 2.

Sec. 3. P&SL 1955, c. 69, §§5 and 6 are repealed.

Sec. 4. P&SL 1955, c. 69, §8 is amended to read:

Sec. 8. Rights and obligations of abutters or others to enter. Any person may enter his private drain sanitary sewer into any sewer of the district while the same is under construction and before completion of said the sewer at the point of entry, and before an entrance charge is established, on obtaining a permit in writing from the trustees; but after the sewer is completed to the point of entry and an entrance charge established on that location, no person shall may enter his private drain sanitary sewer into such the sewer until he has paid the entrance charge and obtained a permit in writing from the trustees as aforesaid. All such permits shall be recorded by the clerk of the district in its records before the same are issued.

The owner, or persons in possession, or against whom taxes are assessed, of all buildings or premises

intended for human habitation, occupancy or use, abutting on a street in which there is a sewer maintained by this district, or if such the buildings stand on premises which are benefited and to which sewer service is available, shall connect with said the sewer in the most direct manner possible within 90 days after receiving notice thereof from the sewer district, or within such further time as its trustees may grant, except as otherwise provided in the Maine Revised Statutes, Title 38, section 1252, subsection 3.

Sec. 5. P&SL 1955, c. 69, §12, as amended by P&SL 1961, c. 33, §1, is repealed and the following enacted in its place:

Sec. 12. Meetings of the district; qualification of district voters. Trustees of the district may call meetings of the district at any time. Notice of the meeting, signed by the chairman or clerk of the board, shall be conspicuously posted at the Kennebunk Town Hall, not less than 7 days before the meeting and shall state the business to be transacted at that meeting.

On the written petition of 10% of the voters of the district, the trustees shall call a meeting of the district within 60 days.

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. 6. P&SL 1955, c. 69, §12-A is enacted to read:

Sec. 12-A. Meetings of the trustees. The trustees of the district may call meetings of the board of trustees at any time. Notice of the regularly scheduled meetings of the board of trustees, signed by the chairman or clerk of the board, shall be posted at the Kennebunk Town Hall, not less than 7 days before the meeting, and stating the business to be transacted at any such meeting.

Special meetings of the board may be called in like manner as regularly scheduled meetings on one day's notice.

In the event of an emergency meeting, local representatives of the media shall be notified of the

meeting, whenever practical; the notification shall include time and location, by the same or faster means used to notify the members of the agency conducting the public proceeding. The minutes of any emergency meeting shall state the reason for the meeting.

Sec. 7. P&SL 1955, c. 69, §13 is repealed and the following enacted in its place:

Sec. 13. Registration of voters of the district. The preparation and correction of lists of the persons qualified to vote in the district shall be the responsibility of the registrar of the Town of Kennebunk as defined in the Maine Revised Statutes, Title 21-A, section 1, subsection 38, and shall be performed under the same procedure governing the preparation and correction of lists of persons qualified to vote in town elections. All meetings of the district shall be presided over by a moderator chosen in the same manner and with the same authority as moderators of town meetings.

Sec. 8. P&SL 1955, c. 69, §19-A is enacted to read:

Sec. 19-A. District personnel records. The personnel records of the district shall be confidential to the same extent as municipal records pursuant to the Maine Revised Statutes, Title 30, section 2257, subsection 1 and the records shall be reviewable by employees of the district to the same extent and in the same manner as is provided for municipal personnel records pursuant to the Maine Revised Statutes, Title 30, section 2257, subsection 2.

Effective July 16, 1986.

CHAPTER 98

H.P. 1312 - L.D. 1828

AN ACT to Establish the Lubec Port Authority.

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

Whereas, Lubec is vitally in need of economic stimulus, and improvement of wharves, docks and warehouses is immediately necessary; and