

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**

**ONE HUNDRED AND NINETEENTH LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 2, 1998 to June 19, 1999**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 18, 1999**

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

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**J.S. McCarthy Company**  
**Augusta, Maine**  
**1999**

westerly to the Bubar Road to a point 2,000 feet westerly of U. S. Route 1, as measured along the Bubar Road; and westerly by a line 2,000 feet westerly of and parallel to U. S. Route 1, in the county of Aroostook, are constituted a body politic and corporate under the name of the "Mars Hill Utility District" for the purpose of supplying the district and the inhabitants of the district with pure water for domestic, commercial, sanitary and municipal purposes, including the extinguishment of fires, and of supplying the district and the inhabitants of the district with suitable and adequate sewerage and sewage treatment and disposal facilities, as hereinafter provided.

**Sec. 2. Approval; effective date.** This Act takes effect when approved only for the purpose of permitting its submission to the legal voters within the Town of Blaine at a special or regular town meeting held by the Town of Blaine by November 2, 1999 and to the town council of Mars Hill at a council meeting held by November 2, 1999. The subject matter of this Act is reduced to the following question to be voted upon by the voters in the Town of Blaine and the town council of Mars Hill:

"Do you favor expanding the Mars Hill Utility District to include the entire Town of Blaine?"

The results of the vote at the special or regular town meeting held in the Town of Blaine must be declared by the municipal officers of the Town of Blaine and due certificate of the results filed by the clerk of the Town of Blaine with the Secretary of State. Due certificate of the results of the vote of the town council of the Town of Mars Hill must be filed by the clerk of the Town of Mars Hill with the Secretary of State.

This Act takes effect for all purposes immediately upon its approval by both a majority of the legal voters voting at the special or regular town meeting held in the Town of Blaine and by a majority of the members of the town council of the Town of Mars Hill. Failure to achieve the necessary approval at any town meeting in the Town of Blaine or at any council meeting of the town council of the Town of Mars Hill does not prohibit subsequent votes at special or regular town meetings held in the Town of Blaine or subsequent votes at any council meeting of the Town of Mars Hill, as long as the town meetings or council meetings are held in accordance with this section prior to November 9, 2000.

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

Effective pending referendum.

**CHAPTER 5**

**H.P. 50 - L.D. 64**

**An Act to Amend the Mexico Water District Charter**

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

**Whereas,** in order to ensure a smooth transition to a new beginning date for the terms of office of the trustees of the Mexico Water District, certain changes in law must be put into effect as soon as possible; 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 1929, c. 102, §8, 8th sentence,** as amended by P&SL 1993, c. 30, §1, is further amended to read:

The term of office of the trustees first chosen ~~must date~~ dates from the first Monday of April, 1929, but the terms of office beginning after January 1, 1999 begin on July 1st.

**Sec. 2. Transition.** The terms of office of the trustees of the Mexico Water District serving on the effective date of this Act are extended to June 30th of the 3rd year of the appointed 3-year terms.

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

Effective April 9, 1999.

**CHAPTER 6**

**H.P. 409 - L.D. 551**

**An Act to Amend the Lien Enforcement Procedure for the Topsham Sewer District**

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

**Sec. 1. P&SL 1957, c. 128, §14, sub-§1, first ¶,** as enacted by P&SL 1965, c. 32, §2, is amended to read:

**1. Enforcement of lien.** At any time after ~~6~~ 3 months and before ~~2-years~~ 18 months from the due date of any charge or assessment for which the district has a lien, the district may proceed to enforce its lien under the following procedure:

**Sec. 2. P&SL 1957, c. 128, §14, sub-§1,** ¶A, as amended by P&SL 1981, c. 9, §2, is further amended to read:

A. The treasurer of the district shall send a notice to the record owner of the real estate by certified or registered mail stating the amount then due for over ~~6~~ 3 months and less than ~~2-years~~ 18 months and a statement that the district will record its lien in the registry of deeds if the bill is not paid in full within 30 days from the date of mailing of the notice.

**Sec. 3. Application.** The changes made by this Act to the Topsham Sewer District Charter regarding enforcement by the district of liens apply to liens for unpaid assessments due after the effective date of this Act. The enforcement of liens for assessments due prior to the effective date of this Act are governed by the law in effect at the time the assessment came due.

See title page for effective date.

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## CHAPTER 7

### H.P. 229 - L.D. 333

#### An Act to Amend the Charter of the Department of Electric Works Within the Town of Madison

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

**Sec. 1. P&SL 1975, c. 53, §1** is amended by adding at the end a new sentence to read:

The Department of Electric Works is authorized to provide natural gas service in the Town of Madison and any other town to which it is authorized to provide electricity.

**Sec. 2. P&SL 1975, c. 53, §8** is amended to read:

**Sec. 8. Borrowing, generally.** The town is ~~hereby~~ authorized to borrow amounts of money by the issuance of its general obligation securities for its electric works department for any purpose allowed by law, after vote by the town. Except as otherwise provided ~~herein in this section~~, ~~said the borrowings shall must~~ be made under authority of the Maine Revised Statutes, Title 30 30-A as amended. All of

~~said the borrowing shall must~~ be approved by the board of directors of the electric works and, unless the vote authorizing such securities otherwise provides, bonds and notes ~~shall must~~ be signed by the municipal officers and by the board of directors of the electric works of the town and by the treasurer of ~~said that~~ town; provided, however, that coupons ~~need may~~ be signed by the treasurer only.

**Sec. 3. P&SL 1975, c. 53, §10, first paragraph** is amended to read:

**Sec. 10. Moneys of electric works.** All moneys received from electric works department receipts, notes, bonds or other sources in connection with ~~said the~~ electric works department ~~shall must~~ be deposited in ~~such~~ banks or depositories as the board of directors of the electric works ~~shall determine~~ determines, in separate accounts entitled "Town of Madison Electric Works Department," and all withdrawals from ~~said those~~ accounts ~~shall must~~ be over or upon the orders or warrants of the board of directors of the electric works, ~~said these~~ warrants and orders to be directed to the town treasurer. The treasurer of ~~said that~~ town shall execute and carry out all ~~such~~ orders and warrants.

**Sec. 4. P&SL 1975, c. 53, §11** is amended by amending the first paragraph to read:

**Sec. 11. Directors to establish rates.** All individuals, partnerships, firms and corporations, whether private, public or municipal, shall pay the rate established by the board of directors for the electricity or natural gas used by them, and the rates for electricity or natural gas so supplied ~~shall must~~ be uniform within the territory supplied by the electric works wherever the cost of services, including the cost of installation and maintenance of transmission lines and apparatus for distribution of electric power and the cost of services or pipelines, mains and apparatus for distribution of natural gas is substantially uniform, but nothing in this Act ~~shall preclude said~~ precludes those directors, with the approval of the Public Utilities Commission, from establishing higher rates than the regular rates in sections where, for any reason, the cost of construction and maintenance or the cost of service exceeds the average, but ~~such the~~ higher rates ~~shall must~~ be uniform throughout the section where they apply. All rates ~~shall be are~~ subject to the approval of the Public Utilities Commission and ~~shall must~~ be so established as to provide revenue for the following purposes:

**Sec. 5. P&SL 1975, c. 53, §11, sub-§1** is amended to read:

**1.** To pay the current expenses of operating and maintaining the electric light and power system and natural gas distribution system, including all usual and ordinary repairs, replacements and improvements.