

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.

J.S. McCarthy Company
Augusta, Maine
1999

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.

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.

Sec. 6. P&SL 1975, c. 53, §12 is amended to read:

Sec. 12. Electric works subject to Public Utilities Commission. Nothing herein contained is intended to repeal nor ~~shall~~ may be construed as repealing the whole or any part of any existing statute; and all rights and duties herein mentioned ~~shall~~ must be exercised and performed in accordance with all the applicable provisions of the Maine Revised Statutes, Title ~~35~~ 35-A as amended.

Sec. 7. P&SL 1975, c. 53, §14, first paragraph is amended to read:

Sec. 14. Duties of superintendent. Subject to any specific limitations imposed by the board of directors pursuant to section 9 ~~hereof~~, the superintendent ~~shall be~~ is responsible for the daily administration and operation of the electric works department.

See title page for effective date.

CHAPTER 8

S.P. 428 - L.D. 1265

An Act to Amend the Charter of the Tenants Harbor Standard Water District

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

Whereas, there are still a number of private wells in the Village of Tenants Harbor within the Town of St. George that are contaminated with hydrocarbons and this poses a serious threat to the health and well-being of the inhabitants of the area; and

Whereas, an adequate supply of pure water is essential to the health and well-being of the inhabitants of the Village of Tenants Harbor; 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 1997, c. 17, §1 is amended to read:

Sec. 1. Territorial limits; corporate name. Pursuant to the Maine Revised Statutes, Title

35-A, section 6403, subsection 1, paragraph B and subject to section 6, ~~that part those parts~~ of the Town of St. George described as follows: Beginning at a point at the intersection of the northern corner of Lot 42 of Map 2 of the Property Tax Maps of the Town of St. George, and the easterly edge of Sea Street, thence southeast along the northerly border of Lot 42 to the coast of the Atlantic Ocean, thence south and west along the coast to the intersection of the easterly edge of Route 131, thence westerly over Route 131 and along the waterway to the southwestern corner of Lot 135 of Map 2, thence westerly along the northern shore of the marsh bordering Lots 135, 134 ~~and~~, 132 ~~and~~ 124 of Map 2 and ~~lots~~ Lots 3 and 11 of Map 27 to the intersection with the southerly edge of Watts Avenue, thence westerly across Watts Avenue, 275 feet west into Lot 66 of Map 13, thence northerly across Lots 66, 67 and 68 of Map 13, running 275 feet north of and parallel to Watts Avenue, ~~Thence thence~~ continuing southeasterly across Lots 13 and 14 of Map 27, 275 feet north of and parallel to Watts Avenue to the westerly border of Lot 16 of Map 27, thence northerly to the intersection of the northwest corner of Lot 16 and the southwest corner of Lot 22, thence easterly along the southerly border of Lot 22 to the northwesterly corner of Lot 88 of Map 2, thence southeasterly to the westerly border of Lot 88-1 of Map 2, thence to the northwest corner of Lot 88-1, thence easterly along the northerly border of Lot 88-1 to the intersection of the northeasterly corner of Lot 88-1, and the westerly edge of Route 131, thence across Route 131, thence northerly along the easterly edge of Route 131 to the northwest corner of Lot 70 of Map 2, thence easterly along the northern borders of Lots 70, 77-2 and 76 of Map 2, to the intersection of the northerly edge of Spruce Lane, thence along Spruce Lane southerly and easterly along the southerly edge of Spruce Lane bordering Lots 77, 56, and 57 of Map 2, to the intersection of the westerly edge of Sea Street, thence diagonally in a straight line to the point at the beginning; and beginning at the point at the intersection of the southeast corner of Lot 16 of Map 28 of the property tax maps of the Town of St. George and Route 131, thence northerly along the western shore of the freshwater pond known as the "Marsh" to the northeast corner of Lot 76 of Map 11, thence westerly along the northern boundary of said Lot 76, thence southerly along the western boundary of said Lot 76, thence easterly along the southern boundary of said Lot 76 to the northwest corner of Lot 12 of Map 28, thence southerly along the western boundary of Lot 12 and Lot 11 of Map 28 to the northeast corner of Lot 8 of Map 28, thence westerly along the northern boundaries of Lots 8, 7, 6, 5, 4, 3, 2 and 1 of Map 28, thence southerly along the western boundary of Lot 1 of Map 28 to the northern edge of Wallston Road, thence along the northern edge of Wallston Road to a point opposite the northeast corner of Lot 74 of Map 11, thence crossing the Wallston Road to the northeast corner of Lot 74, Map 11, thence westerly