

# MAINE STATE LEGISLATURE

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

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTY-SECOND LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 1, 2004 to March 30, 2005**

**FIRST SPECIAL SESSION**  
**April 4, 2005 to June 18, 2005**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**JUNE 29, 2005**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST SPECIAL SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 17, 2005**

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

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**Penmor Lithographers**  
**Lewiston, Maine**  
**2005**

"Do you favor changing the debt limit of the (insert name of district) from (insert current debt limit) to (insert proposed debt limit)?"

**Sec. 3. 38 MRSA §1256** is enacted to read:

**§1256. Sewer districts; authority to increase debt limits**

**1. Debt limit.** Notwithstanding any provision of its charter to the contrary, a sewer district may increase its debt limit by referendum in accordance with this section. A sewer district is not required to use the procedure provided by this section and may seek to increase its debt limit by any other lawful means, including pursuant to any other means described in its charter or by seeking legislative amendment to its charter.

**2. Referendum.** If a sewer district chooses to increase its debt limit pursuant to this section, the governing body of the sewer district shall propose a new debt limit and submit the proposal for approval at a districtwide referendum. The referendum must be called, advertised and conducted according to the law relating to municipal elections, except the registrar of voters is not required to prepare or the clerk to post a new list of voters. The referendum may be held outside the territory of the district if the usual voting place for persons located within the district is located outside the territory of the district. For the purpose of registering voters, the registrar of voters must be in session on the regular work day preceding the election. The question presented must be in substantially the following form:

"Do you favor changing the debt limit of the (insert name of district) from (insert current debt limit) to (insert proposed debt limit)?"

The voters shall indicate by a cross or check mark placed against the word "Yes" or "No" their opinion on the question.

The results must be declared by the governing body of the district and entered upon the district's records. Due certificate of the results must be filed by the clerk with the Secretary of State.

**3. Approval.** A debt limit proposal becomes effective upon its acceptance by a majority of the legal voters within the district voting at the referendum. Failure of approval by the majority of voters voting at the referendum does not prevent subsequent referenda from being held for the same purpose. The costs of referenda are borne by the district.

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

Effective May 20, 2005.

**CHAPTER 193**

**H.P. 728 - L.D. 1075**

**An Act To Expand the Items That May Be Sold by Malt Liquor and Wine Licensees**

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

**Sec. 1. 28-A MRSA §1201, sub-§7, ¶A,** as repealed and replaced by PL 1987, c. 342, §104, is amended to read:

A. Includes:

- (1) Tobacco products;
- (2) Newspapers;
- (3) Greeting cards;
- (4) Paper products;
- (5) Cut flowers and potted flowers;
- (5-A) Glasses, stemware, china and devices designed to open containers of wine and beer;
- (6) A stock of foodstuffs and other consumable products used on the premises in the preparation of food for consumption on or off the premises; and
- (7) Other items equally compatible with a stock of malt liquor or wine; and

See title page for effective date.

**CHAPTER 194**

**H.P. 521 - L.D. 726**

**An Act To Require Legislative Review of Rules Governing Private Schools**

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

**Sec. 1. 20-A MRSA §204** is enacted to read:

**§204. Rules**