

# 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**

**CHAPTER 21****H.P. 1006 - L.D. 1442****An Act To Facilitate Energy Self-sufficiency for Maine's Offshore Islands****Be it enacted by the People of the State of Maine as follows:**

**Sec. 1. Fox Islands Electric Cooperative, Inc.; authority to sell power under certain circumstances.** Notwithstanding the Maine Revised Statutes, Title 35-A, section 3207, subsection 1, paragraph B, the Fox Islands Electric Cooperative, Inc., a consumer-owned transmission and distribution company, may sell wholesale generation service in order to reduce its cost of providing retail service.

See title page for effective date.

**CHAPTER 22****S.P. 137 - L.D. 413****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 P&SL 1951, c. 63, §3, 4th ¶**, as repealed and replaced by P&SL 1985, c. 57, §1, is amended to read:

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 how the trustees are fulfilling the duties and obligations of their trust. The report must include audited financial statements. This report ~~is to~~ must be filed with the municipal officers, who shall include the report in the annual town report.

**Sec. 2. P&SL 1951, c. 63, §14, 2nd and 3rd ¶¶**, as enacted by P&SL 1985, c. 57, §1, are amended to read:

Any person aggrieved by the decision of the trustees as it relates to any assessment for sewer construction under this section ~~shall have the same rights of appeal as are provided in the case of laying out of town ways~~ may appeal the decision to the town manager of the Town of York. The decision of the town manager may be appealed to the town board of appeals. A final decision of the board of appeals may

be appealed pursuant to the Maine Rules of Civil Procedure, Rule 80B.

Prior to authorizing any sewer extension, except by specific state or federal mandate, the trustees shall notify the legislative bodies and the planning boards of the affected municipalities in order to assure conformity with their comprehensive plans and other public policies relating to their growth and development. The trustees shall publish notice of the proposed action in a newspaper with general circulation in the district no less than 7 days prior to the meeting at which they will take final action on the authorization of the extension. The district shall comply with the Maine Revised Statutes, Title 38, section 1252, subsections 7 and 9 with respect to any sewer extensions.

**Sec. 3. P&SL 1951, c. 63, §23**, as repealed and replaced by P&SL 1985, c. 57, §1, is amended to read:

**Sec. 23. Dissolution; voluntary.** The trustees of the district may at any time enter into negotiations with the Town of York for the purpose of dissolving the district and transferring its entire assets and ~~liabilities~~ obligations to the Town of York. If an agreement to dissolve the district is reached with the municipal officers of the Town of York, the district may be dissolved upon the unanimous vote of the trustees and upon referendum vote being taken at the next annual municipal election in the Town of York. The town clerk of the Town of York shall reduce the subject matter to the following question:

"Shall the York Sewer District be dissolved and all of its assets and ~~liabilities~~ obligations be assumed by and become the responsibility of the Town of York?"

The voters shall indicate by a cross or check mark placed upon their ballots against the ~~words~~ word "Yes" or "No" their opinion of the same. The ~~result~~ results shall be declared by the municipal officers and due certificate ~~thereof~~ of the results filed by the town clerk with the Secretary of State and, if the result so filed shows that a majority of the voters is for the approval of the dissolution of the York Sewer District, ~~it shall take complete~~ the dissolution takes effect upon filing with the town clerk an attested copy of the unanimous votes of the trustees of the district to dissolve the district according to the terms ~~hereof~~ of this section; ~~provided that only if~~ the total vote cast for and against the dissolution of the York Sewer District equals, or exceeds, 25% of the total vote for all candidates for Governor cast at the last gubernatorial election.

Upon completion of the transfer of assets and obligations of the district to the Town of York in accordance with this section, the clerk of the Town of