

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-FOURTH LEGISLATURE

SECOND REGULAR SESSION
January 6, 2010 to April 12, 2010

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
JULY 12, 2010

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

Augusta, Maine
2010

proceedings for retention of outside counsel and related costs.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$100,000	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$100,000	\$0

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

Effective March 1, 2010.

CHAPTER 31

H.P. 858 - L.D. 1239

An Act To Provide Funding To Educate Homeowners in Integrated Pest Management

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

Sec. 1. Transfer from the Board of Pesticides Control to University of Maine Cooperative Extension. Notwithstanding any other provision of law, the State Controller shall transfer \$50,000 by August 1, 2010 from the Board of Pesticides Control program, Other Special Revenue Funds account within the Department of Agriculture, Food and Rural Resources to the UM Cooperative Extension - Pesticide Education program, Other Special Revenue Funds account within the University of Maine System.

Sec. 2. Appropriations and allocations. The following appropriations and allocations are made.

UNIVERSITY OF MAINE SYSTEM, BOARD OF TRUSTEES OF THE

UM Cooperative Extension - Pesticide Education Z059

Initiative: Allocates one-time funds for the homeowner integrated pest management education program. The university may not assess facilities or administration charges on this grant.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$0	\$50,000

OTHER SPECIAL	\$0	\$50,000
REVENUE FUNDS TOTAL		

See title page for effective date.

CHAPTER 32

S.P. 607 - L.D. 1601

An Act To Create the Lincolntown Sewer District

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

Sec. 1. Territorial limits; corporate name; purpose. The territory of the Town of Lincolntown described as follows: Beginning at a point on the shore of the Atlantic Ocean at the ferry terminal 44° 16' 49.4826" latitude and -69° 0' 21.4128" longitude; thence in a southwesterly direction 44° 16' 40.7856" latitude and -69° 0' 36.9390" longitude to Route 1 at Dickenson; thence in a northwesterly direction 44° 17' 9.1032" latitude and -69° 0' 58.3740" longitude to Route 173; thence in a northeasterly direction 44° 17' 18.1284" latitude and -69° 0' 30.3336" longitude to Route 1 at Windsor Chair; thence in a southeasterly direction 44° 17' 12.8904" latitude and -69° 0' 18.4328" longitude to the shore of the Atlantic Ocean; thence southerly along the shore to the point of beginning; and its inhabitants constitute a body politic and corporate under the name of Lincolntown Sewer District, referred to in this Act as "the district," for the purpose of supplying the town and its inhabitants and others within the territory of the district with sewer and water services.

Sec. 2. Powers as sewer district. Except as otherwise expressly provided in this Act, the district, for the purposes of supplying the Town of Lincolntown and its inhabitants and others within the territory of the district with sewer services, has all the powers, rights, privileges and authority and is subject to all the requirements and restrictions of a sanitary district formed under the Maine Revised Statutes, Title 38, chapter 11, except that sections 1062, 1101, 1102, 1103, 1104, 1105, 1106 and 1162 do not apply to the district and any notice of impending automatic foreclosure issued by the district pursuant to section 1208 must bear the name "Lincolntown Sewer District" in all appropriate locations.

Sec. 3. Powers and authority as water utility. Except as otherwise expressly provided in this Act, the district, for the purposes of performing the functions of a water utility, has all the powers, rights, privileges and authority and is subject to all the requirements and restrictions of a standard water district

under the Maine Revised Statutes, Title 35-A, chapter 64.

Sec. 4. Additional powers. The district has the authority to provide water and wastewater service to the customers of the district and to residents in the Town of Lincolnville outside the territory described in section 1.

Sec. 5. Number of trustees. The board of trustees of the district is composed of 3 trustees. Trustees must be residents and voters of the district.

Sec. 6. First board. The first board is appointed by the municipal officers of the Town of Lincolnville. The terms of the first board are governed by the Maine Revised Statutes, Title 35-A, section 6410, subsection 4.

Sec. 7. Terms of trustees; vacancies. After the appointment of the first board of trustees of the district, trustees are elected to 3-year terms in accordance with the Maine Revised Statutes, Title 35-A, section 6410. Vacancies are filled in accordance with Title 35-A, section 6410.

Sec. 8. Eminent domain. The district has no eminent domain authority outside the district.

Sec. 9. Town responsibility. Except for the initial appointment of the board of trustees and the initial referendum, the Town of Lincolnville is not responsible for any acts of the district.

Sec. 10. Referendum; effective date. This Act takes effect when approved only for the purpose of permitting its submission to the legal voters within the territory described in section 1 of this Act at a town meeting called for that purpose and held by July 1, 2012. The meeting must be called by the municipal officers of the Town of Lincolnville and be held at the regular voting place. The meeting must be called, advertised and conducted according to the law relating to municipal elections, except that the registrar of voters is not required to prepare or the clerk to post a new list of voters. For the purpose of registration of voters, the registrar of voters must be in session the secular day preceding the meeting. The subject matter of this Act is reduced to the following question:

"Do you favor creating the Lincolnville Sewer District?"

The results must be declared by the municipal officers of the Town of Lincolnville and due certificate of the results filed by the clerk with the Secretary of State.

This Act takes effect for all other purposes immediately upon its acceptance by a majority of the legal voters voting at the town meeting. Failure to achieve the necessary approval by a majority of voters at a town meeting does not prohibit subsequent referenda

consistent with this section, as long as the town meetings are held prior to July 1, 2012.

Effective pending referendum.

CHAPTER 33

H.P. 1240 - L.D. 1743

An Act To Provide for the 2010 and 2011 Allocations of the State Ceiling on Private Activity Bonds

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

Whereas, the Maine Revised Statutes, Title 10, section 363 and Private and Special Law 2009, chapter 14 make a partial allocation of the state ceiling on private activity bonds to some issuers for calendar year 2010, but leave a portion of the state ceiling unallocated and do not provide sufficient allocations for certain types of private activity bonds that may require an allocation prior to the effective date of this Act if not enacted on an emergency basis; and

Whereas, if these bond issues must be delayed due to lack of available state ceiling, the rates and terms under which these bonds may be issued may be adversely affected, resulting in increased costs to beneficiaries or even unavailability of financing for certain projects; 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. Allocation to the Treasurer of State. The \$5,000,000 in state ceiling for calendar year 2010 previously allocated to the Treasurer of State remains allocated to the Treasurer of State to be used or reallocated in accordance with the Maine Revised Statutes, Title 10, section 363, subsection 5 for calendar year 2010. Five million dollars of the state ceiling for calendar year 2011 is allocated to the Treasurer of State to be used or reallocated in accordance with Title 10, section 363, subsection 5.

Sec. 2. Allocation to the Finance Authority of Maine. The state ceiling on private activity bonds allocated to the Finance Authority of Maine is as follows.