

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

Debt Service Fund under the General Special Obligation Bond Resolution Adopted May 15, 1996; Issuance of Bonds Authorized Pursuant to the Maine Revised Stat- utes, Title 23, section 1968, subsection 2-A	2,467,813
TOTAL	\$66,117,482

See title page for effective date.

CHAPTER 35

H.P. 1065 - L.D. 1516

An Act To Amend the Charter of the Dexter Utility District

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

Sec. 1. P&SL 1971, c. 29, §14-A is enacted to
read:

**Sec. 14-A. Authority to disconnect water
for nonpayment of sewer service.** Notwithstanding
any other provision of law, in the event a user of
the district's sewer system fails within a reasonable
time to pay the district's rates, fees or charges for
sewer service, the district may disconnect water ser-
vice to the user, as long as the disconnection is ac-
complished in accordance with procedures established
in applicable law or rules governing disconnection of
utility services and terms and conditions approved by
the Public Utilities Commission.

See title page for effective date.

CHAPTER 36

H.P. 1075 - L.D. 1525

An Act To Create the Buckfield Water District

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

Sec. 1. Territory. The inhabitants of and the
territory within that part of the Town of Buckfield
described as follows constitute a standard district un-
der the name of the Buckfield Water District, referred
to in this Act as "the district," for the purpose of sup-
plying the district and the inhabitants of the district
with pure water for domestic, commercial, sanitary,
industrial, agricultural and municipal purposes: Buck-
field Tax Map 6, Block 1, Parcel 14; Buckfield Tax

Map 6, Block 2, Parcels 1 and 2; Buckfield Tax Map
6, Block 3, Parcels 1, 3, 5, 27, 27.1, 28, 29, 30, 31, 32,
34, 34.1, 35 and 35.1; Buckfield Tax Map 6, Block 4,
Parcels 1.2 and 3; Buckfield Tax Map 7, Block 4, Par-
cels 10, 10A, 11, 12 and 21; Buckfield Tax Map 12,
Block 1, Parcels 1, 2, 2.1, 3, 3.1, 4, 4.1, 4.2, 5, 6, 7, 8,
9, 9.1, 12, 14, 15 and 17; Buckfield Tax Map 12,
Block 2, Parcels 2, 5, 6, 7, 7.1, 8, 9, 9.1 and 9.2; Buck-
field Tax Map 12, Block 3, Parcels 2, 3, 4, 5, 6.1, 6.2,
6.3, 6.4, 6.5, 6.6, 6.7, 6.8, 6.9, 6.10, 6.11, 6.12, 6.13
and 6.14; Buckfield Tax Map 12, Block 4, Parcels 3,
3.2, 6, 7 and 8; Buckfield Tax Map 12, Block 8, Par-
cels 6, 7, 8, 8A, 9, 10, 12, 14, 15, 16, 17 and 20; Buck-
field Tax Map 12, Block 9, Parcels 1, 1.1, 1.2, 2, 3, 4,
5, 6, 6A, 7, 8 and 11; Buckfield Tax Map 12, Block
10, Parcels 1 and 1B; Buckfield Tax Map 13, Block 1,
Parcels 1, 2, 3, 4, 6, 7, 9, 10, 11, 12, 13, 14, 15, 17, 19,
20, 21, 22, 23, 26, 27, 28, 29, 30, 31 and 31.1; Buck-
field Tax Map 13, Block 2, Parcels 1, 2, 3, 4, 5, 6, 7, 8,
9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21 and 22;
Buckfield Tax Map 13, Block 3, Parcels 1, 2, 3, 4, 5,
6, 6A, 7, 8.1, 9, 10, 11, 12, 12A, 13, 14, 17, 17A, 18,
19, 20 and 21; Buckfield Tax Map 14, Block 1, Par-
cels 1, 2, 3, 4, 5, 6 and 7; Buckfield Tax Map 14,
Block 2, Parcels 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 11.1,
12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25,
26, 27, 28, 29, 30 and 31; Buckfield Tax Map 14,
Block 3, Parcels 1, 2, 3, 4, 5, 6, 7, 8 and 9; as such tax
maps existed on April 1, 2009.

Sec. 2. Powers; authority; duties. The dis-
trict has all the powers and authority and is subject to
all the requirements and restrictions provided in the
Maine Revised Statutes, Title 35-A, chapter 64, except
as otherwise provided in this Act.

Sec. 3. Additional powers. The district is au-
thorized to provide service to customers in the Town
of Buckfield outside the territory described in section
1 of this Act.

Sec. 4. Power to take water. The district is
authorized to take, to hold and to convey within the
Town of Buckfield and from any part of the town wa-
ter from any surface water or groundwater source
within the town, including but not limited to North
Pond.

Sec. 5. Number of trustees. All of the affairs
of the district are managed by a board of trustees com-
posed of 3 members who must reside within the terri-
tory of the district and are elected in accordance with
the Maine Revised Statutes, Title 35-A, section 6410.
The terms of the first board are determined in accor-
dance with Title 35-A, section 6410. Vacancies are
filled in accordance with Title 35-A, section 6410.

**Sec. 6. Acquisition of property of Buck-
field Village Corporation.** This section and sec-
tions 7 and 8 of this Act are contingent on the follow-
ing, referred to in this Act as "the precondition": the
achievement by the Buckfield Village Corporation, a

corporation organized and existing pursuant to Private and Special Law 1887, chapter 58, as amended, and the district of a restructuring, refinancing or other rearrangement of the outstanding debt of the Buckfield Village Corporation in a manner acceptable to the holder of the debt, the district and the corporation that allows the district to assume that debt under the terms of this Act. If the precondition is met, the district acquires under the terms contained in this charter all of the plant, properties, assets, franchises, rights and privileges owned by the Buckfield Village Corporation, including, without limitation, lands, buildings, piping, plants and other appliances and property used or usable for supplying water for domestic, commercial, sanitary, industrial, agricultural and municipal purposes. The consideration paid for the plant, properties, assets, franchises, rights and privileges is the assumption by the district of all of the outstanding debts, obligations and liabilities of the Buckfield Village Corporation, including, without limitation, the assumption by the district of any outstanding notes or bonds of the Buckfield Village Corporation that are due on or after the date of transfer.

Sec. 7. Buckfield Village Corporation required to sell property to district. If the precondition is met, the Buckfield Village Corporation shall under the terms contained in this charter sell, transfer and convey to the district by appropriate instruments of conveyance all of its plants, properties, assets, franchises, rights and privileges, including, without limitation, lands, buildings, piping, plants and other appliances and property used or usable for supplying water for domestic, commercial, sanitary, industrial, agricultural and municipal purposes, in consideration of the assumption by the district of all of the outstanding debts, obligations and liabilities of the Buckfield Village Corporation, including, without limitation, the assumption of any outstanding notes or bonds of the Buckfield Village Corporation that are due on or after the date of the transfer.

Sec. 8. Dissolution and termination of Buckfield Village Corporation; pledge of revenues. If and when all debts, obligations and other liabilities of the Buckfield Village Corporation have been paid in full and discharged or the holders or owners of all debts, obligations and other liabilities that have not been paid in full and discharged have assented to the assumption of the debts, to the obligations and other liabilities that have not been paid by the district and to the novation and substitution of the district as obligor in place of the Buckfield Village Corporation and when the transfer of property pursuant to section 7 of this Act is complete, the clerk of the Buckfield Village Corporation shall file a certificate to that effect with the Secretary of State and the corporate existence of the Buckfield Village Corporation terminates. After filing the certificate with the Secretary of State, the clerk of the Buckfield Village Corpo-

ration shall submit legislation to repeal Private and Special Law 1887, chapter 58 and all amendatory laws. Until the corporate existence of the Buckfield Village Corporation is terminated pursuant to this section, the gross revenues derived by the Buckfield Village Corporation from the sale of water service within the area comprising the former limits of the Buckfield Village Corporation must be applied first to the payment of expenses and 2nd to payments of debts, obligations and other liabilities of the Buckfield Village Corporation assumed by the district pursuant to this charter.

Sec. 9. Statutes not affected; rights conferred subject to provisions of law. Nothing in this charter is intended to repeal or may be construed as repealing the whole or any part of any provision of the Maine Revised Statutes, Title 35-A, and all the rights and duties contained in this charter with respect to water utility functions must be exercised and performed by the district in accordance with all applicable provisions of Title 35-A.

Sec. 10. Referendum; effective date. This Act takes effect 90 days after the adjournment of the Second Regular Session of the 124th Legislature only for the purpose of permitting its submission to the legal voters within the territory described in section 1 of this Act voting at a regular or special election called and held within 2 years after passage of this Act. The election must be called, advertised and conducted according to the law relating to municipal elections, except that the municipal officers are not required to prepare or the town clerk to post a new list of voters. For the purpose of registration of voters, the registrar is required to be in session the 3 secular days next preceding the election, of which the first 2 days must be devoted to registration of the voters and the last day to verification of the list and completion of the records of these sessions. The subject matter of this Act is reduced to the following question:

"Do you favor creating the Buckfield Water District and transferring assets and liabilities of the Buckfield Village Corporation to the Buckfield Water District?"

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

This Act takes effect for all purposes immediately upon its approval by a majority of the legal voters voting at the election.

Effective pending referendum.