

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE

FIRST REGULAR SESSION
December 1, 2010 to June 29, 2011

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 28, 2011

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

Augusta, Maine
2011

and personal property of any of the inhabitants of the participating town where ~~such the~~ default takes place and the sheriff or any of ~~his the sheriff's~~ deputies shall execute ~~said the~~ warrant, except as otherwise ~~herein~~ provided in this Act. The same authority as is vested in county officials for the collection of county taxes under the provisions of the Maine Revised Statutes is vested in the trustees of ~~said the~~ district in relation to the collection of taxes within ~~such the~~ participating town.

Sec. 4. P&SL 1963, c. 176, §10 is amended to read:

Sec. 10. Operational costs; assessment of taxes authorized; how collected; procedure. The Regional School Committee shall for each fiscal year before the first day of ~~April~~ July apportion the total sums required for the operation of the Regional School, as ~~such the~~ sums are determined by the voters of the district at the annual meeting ~~thereof~~, among the participating towns in accordance with section 15 of this ~~act~~ Act. The Regional School Committee shall then issue its warrant in the same form as the warrant of the Treasurer of the State for taxes, with proper changes, to the assessors of each participating town, who shall deduct the amount of subsidies, or other income, if any, accruing to ~~said the~~ town because of its share in the Regional School, and shall assess the remaining sum upon the taxable polls and estates within their participating town and commit their assessments to the constable or collectors of ~~said the~~ participating town who ~~shall~~ have authority and power to collect as provided in section 9 of this ~~act~~ Act. The treasurer of each participating town shall with respect to the sum ~~so~~ assessed make payments, then provide for their collection, all as provided in ~~said~~ section 9, and the Regional School Committee ~~shall~~ with respect to the sums ~~so~~ assessed ~~have has~~ the same authority as ~~by said provided in~~ section 9 ~~is granted~~ to the board of trustees.

Sec. 5. P&SL 1963, c. 176, §11, first paragraph, as amended by P&SL 1971, c. 7, is further amended to read:

Sec. 11. Annual meeting of the district; qualifications of voters of district; procedure at district meetings; annual budgets. The annual meeting of the district shall must be held within the district, and at the school building ~~when completed~~, on the ~~2nd 1st~~ Wednesday of ~~February~~ April, ~~such the~~ meeting to start between 9 o'clock in the forenoon and 8 o'clock in the afternoon. The warrant for ~~said the~~ meeting or any special meeting shall must be signed by the ~~chairman~~ chair or treasurer of the board of trustees and the ~~chairman~~ chair or secretary of the Regional School Committee.

Sec. 6. P&SL 1963, c. 176, §11, 4th paragraph is amended to read:

The warrant for the annual meeting shall must set forth the school budget for the next fiscal year in substantially the following form:

PROPOSED
SCHOOL BUDGET FOR ~~YEAR 19~~
FISCAL YEAR 2 - 2

REGIONAL SCHOOL COMMITTEE

Operating Budget Expenses

Total proposed operating expenses \$-----

BOARD OF TRUSTEES

Capital Budget Expenses

Bonds and Notes

Principal - Sinking Fund \$-----
Payments \$-----
Interest \$-----

Interest on Temporary Notes \$-----

Maine School Building Authority

Assumed by District \$-----
Rents or lease payments \$-----

Additions and Improvements \$-----

Total Capital expenses \$-----
Total proposed Expenditure \$-----

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

Effective February 4, 2011.

CHAPTER 2

H.P. 69 - L.D. 81

**An Act To Change the Name of
Township 3, Range 9, NWP, to
Cedar Lake Township**

Mandate preamble. This measure requires one or more local units of government to expand or modify activities so as to necessitate additional expenditures from local revenues but does not provide funding for at least 90% of those expenditures. Pursuant to the Constitution of Maine, Article IX, Section 21, 2/3 of all of the members elected to each House have determined it necessary to enact this measure.

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

Whereas, this legislation proposes a referendum to ratify changing the name of the unorganized territory referred to currently as Township 3, Range 9, NWP, and located in Penobscot County to Cedar Lake Township; and

Whereas, residents in the township receive mail by direct delivery to their mailboxes; and

Whereas, because of confusion with Canadian mail, the United States Postal Service does not allow for numbers to be used in the name of the township; and

Whereas, unless the name of the township is changed, the residents will not be able to receive mail in their mailboxes; 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. Cedar Lake Township. Wherever the designation Township 3, Range 9, NWP, appears or reference is made to that unorganized territory, that designation or reference means Cedar Lake Township.

Sec. 2. Referendum for ratification. This Act must be submitted to the legal voters residing in the unorganized territory of Township 3, Range 9, NWP, in Penobscot County. The date of the submission must be determined by the Penobscot County Board of Commissioners but may not be later than 6 months after adjournment of the First Regular Session of the 125th Legislature. The Penobscot County commissioners are authorized to expend such funds as necessary to implement the referendum.

The county commissioners shall cause the preparation of the required ballots, on which they shall state the subject matter of this Act in the following question:

"Do you favor changing the name of Township 3, Range 9, NWP, to Cedar Lake Township?"

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

The result of the election must be declared by the Penobscot County commissioners and due certificate filed with the Secretary of State.

Emergency clause; referendum; effective date. In view of the emergency cited in the preamble, this legislation takes effect when approved only for the purpose of permitting its submission to the legal voters

residing in the unorganized territory of Township 3, Range 9, NWP in Penobscot County at a special or regular town meeting or election no later than 6 months after adjournment of the First Regular Session of the 125th Legislature. The name change in section 1 takes effect upon its acceptance by a majority of the legal voters voting at the election.

Effective pending referendum, unless otherwise indicated.

CHAPTER 3

H.P. 40 - L.D. 47

An Act Directing the Department of Transportation To Allow a Break in Control of Access on William L. Clarke Drive in the City of Westbrook

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

Sec. 1. Allow an entrance through control of access on William L. Clarke Drive in the City of Westbrook. At the request of the owner of the parcel on Westbrook Tax Map 32, Lot 52, the Department of Transportation shall allow an entrance to be built on William L. Clarke Drive in the City of Westbrook on the condition that the owner assume all costs for the repayment of federal funds used by the Department of Transportation to acquire control of access on William L. Clarke Drive in the City of Westbrook and for environmental permitting for the break in control of access to be built on William L. Clarke Drive in the City of Westbrook. The break in control of access must be no more than 75 feet in width and located between station 35+00 and 43+00 on William L. Clarke Drive as shown on the Maine Department of Transportation right-of-way map, S.H.C. File Number 3-189 sheets 6 and 7, September 1968, for the parcel on Westbrook Tax Map 32, Lot 52.

See title page for effective date.

CHAPTER 4

H.P. 424 - L.D. 541

An Act To Clarify the Boundary between the Town of Cushing and the Town of Friendship, Town of Warren, Town of Thomaston and Town of Waldoboro