

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-SIXTH LEGISLATURE

FIRST REGULAR SESSION
December 5, 2012 to July 10, 2013

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Augusta, Maine
2013

ing 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 workday preceding the election. The question presented must conform to the following form:

"Do you favor authorizing the Ashland Water and Sewer District to establish a lien on real estate served or benefited by the sewers of the district to secure the payment of the district's rates?"

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

The results must be declared by the trustees and entered upon the district's records. Due certificate of the result must be 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 of the district voting in the referendum. Failure to achieve the necessary approval by a majority of voters does not prohibit subsequent referenda consistent with this section. The costs of referenda are borne by the district.

Effective pending referendum.

CHAPTER 11

H.P. 1042 - L.D. 1457

**An Act To Amend the Charter
of the South Berwick Sewer
District**

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

Sec. 1. P&SL 1963, c. 226, §15, 2nd ¶ is amended to read:

The annual meeting of ~~said the~~ district ~~shall be~~ is held on the ~~2nd~~ first Monday of March of each year at ~~such an~~ hour and place ~~as may be designated~~ determined by resolution of the board of trustees as provided in the bylaws. At the annual meeting of ~~said the~~ district, beginning with the first annual meeting after acceptance of this ~~act~~ Act and the initial appointment of the first board of trustees, as many trustees ~~shall~~ must be elected by the district as ~~shall be~~ are necessary to fill the vacancy of those whose terms have expired. ~~They to~~ The members serve until the annual meeting of the district occurring 3 years thereafter, and until

their successors are elected and qualified. When ~~any a~~ trustee ceases to be a resident of ~~said the~~ district, ~~he~~ the trustee vacates ~~his the~~ office as trustee, and if a vacancy ~~should occur~~ occurs for this reason or through death, resignation, or other means, ~~otherwise other~~ than by expiration of the trustee's term, the remaining trustees shall choose another trustee to serve until the next annual meeting when ~~such the~~ vacancy ~~shall be~~ is filled by election for the unexpired term of the trustee whose office has become vacant. All trustees, if residents of ~~said the~~ district, ~~shall be~~ are eligible for re-election or reappointment.

Sec. 2. P&SL 1963, c. 226, §15, 5th ¶ is amended to read:

Within one week after each annual election, the trustees shall meet for the purpose of electing from ~~amongst among~~ the board of trustees a ~~chairman~~ chair, treasurer and clerk to serve for the ensuing year and until their successors are elected and qualified. The trustees from time to time may choose and employ, and fix the compensation of, any other necessary officers and agents, who ~~shall~~ serve at ~~their the~~ the pleasure of the trustees. The trustee serving as treasurer shall furnish bond in such sum and with such sureties as the board may approve. Members of the board ~~shall be~~ are eligible to be elected to any office under the board. The trustees, ~~as such,~~ ~~shall~~ receive as compensation for their services an amount to be determined by them not to exceed ~~\$150~~ \$350 each per year, except for the ~~chairman~~ chair, who ~~shall~~ receives as compensation for this service an amount to be determined by the board and not to exceed ~~\$250~~ \$500 per year; but the treasurer ~~shall be~~ is allowed ~~such~~ compensation as the board ~~shall determine~~ determines.

See title page for effective date.

CHAPTER 12

H.P. 221 - L.D. 312

**An Act To Release a
Restriction on Former State
Land in Passadumkeag
Currently Owned by Dale Ross**

Preamble. The Constitution of Maine, Article IX, Section 23 requires that real estate held by the State for conservation or recreation purposes may not be reduced or its uses substantially altered except on the vote of 2/3 of all members elected to each House.

Whereas, certain real estate authorized for conveyance by this Act is under the designations described in the Maine Revised Statutes, Title 12, section 598-A; now, therefore,

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

Sec. 1. Department of Agriculture, Conservation and Forestry to release a restriction on former state land in Passadumkeag currently owned by Dale Ross. The provision restricting the use to only agricultural or forestry purposes on the land in Passadumkeag currently owned by Dale Ross as required by Public Law 1993, chapter 335, and stated in a deed from the State of Maine to Dale Ross's predecessor in interest dated February 11, 1994 and recorded in the Penobscot County Registry of Deeds, Book 5564, Page 246, must be released as provided in this section. The Department of Agriculture, Conservation and Forestry shall issue a deed to Dale Ross releasing the restriction of only agricultural or forestry purposes on the land owned by Dale Ross that is subject to the restriction stated in the deed from the State of Maine to Dale Ross's predecessor in interest dated February 11, 1994 and recorded in the Penobscot County Registry of Deeds, Book 5564, Page 246. The restriction of use of the property only for agricultural or forestry purposes on the land owned by Dale Ross may be released only after Dale Ross and the Department of Agriculture, Conservation and Forestry have agreed that the State of Maine must be held harmless regarding any and all claims related to the property and the ownership of the property by the State of Maine and any predecessors in title. The release of the deed restriction and the hold harmless clause must be included in a single document constituting the deed to Dale Ross and bind all successors in title. All legal costs related to the release of the deed restriction and the agreement regarding the hold harmless clause are the responsibility of Dale Ross.

See title page for effective date.

CHAPTER 13

H.P. 467 - L.D. 675

An Act To Amend the Charter of the Veazie Sewer District

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 makes changes to the boundaries of the Veazie Sewer District; and

Whereas, the Veazie Sewer District holds its annual meeting in June and the changes made by this legislation may not take effect before the date of the meeting if this legislation is not enacted as an emergency; 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 preserva-

tion of the public peace, health and safety; now, therefore,

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

Sec. 1. P&SL 1951, c. 114, §1, as amended by P&SL 1979, c. 86, §1, is further amended to read:

Sec. 1. Incorporation. The portion of the territory of the town Town of Veazie and the inhabitants within the same, ~~excepting the area in the most northwesterly corner of the town which is bounded by the Veazie Bangor town line, the southeasterly line of Stillwater Avenue, the Veazie Orono town line and a line extending from the intersection of the northeasterly line of Chase road, so called, with said Veazie-Bangor town line to said Veazie Orono town line, and being parallel with said southeasterly line of said Stillwater Avenue, shall constitute that lies between the Penobscot River and Interstate 95 constitutes a~~ body politic and corporate under the name of the "Veazie Sewer District," referred to in this Act as "the district." The purpose of the district shall be to take over, control, manage and operate the sanitary sewers now owned by the Town of Veazie with all appurtenances thereto; to extend, increase, enlarge and improve the drains and sewers; to extend the present system or systems so as to furnish sewerage facilities to portions of the town not now served with such facilities; to provide for removal of sewage; to discharge sewage into the Penobscot River at points most reasonable and convenient for the district; to provide for treatment of sewage in whole or in part before discharging it into the river when, as and if such treatment becomes necessary; and generally to provide a system of sanitary sewerage drainage for public purposes and for the health, comfort and convenience of the inhabitants of the district; ~~provided that as long as nothing contained herein shall in this Act may be construed so as to vest the district with any duty of providing surface or storm water drainage.~~

Sec. 2. P&SL 1951, c. 114, §7, as amended by P&SL 1999, c. 17, §1, is further amended to read:

Sec. 7. Trustees; how elected, tenure of office; organization of board; officers; vacancies; compensation; reports. As soon as may be after the acceptance of this ~~act~~ Act as hereinafter provided, the municipal officers of the town Town of Veazie shall appoint 3 trustees of said district, to hold office as follows respectively: 1 until 2 days after the annual town meeting in 1952, 1 until 2 days after the annual town meeting in 1953 and 1 until 2 days after the annual town meeting in 1954. At each annual meeting of the district, 1 trustee shall be elected ~~by the inhabitants of the district then and there present and voting by the registered voters in the Town of Veazie,~~ for a term of 3 years as successor to the trustee whose term expires that year. All trustees shall serve until their successors are appointed and qualified. No trus-