

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-SEVENTH LEGISLATURE

FIRST REGULAR SESSION
December 3, 2014 to July 16, 2015

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
OCTOBER 15, 2015

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

Augusta, Maine
2015

elections, except that the registrar of voters is not required to prepare or the town clerk to post a new list of voters. For the purpose of registration of voters, the registrar of voters must be in session on the secular day preceding the election. The subject matter of this Act is reduced to the following question:

"Do you favor adopting the Kennebunk Sewer District charter, 2015 revision?"

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 municipal officers of the Town of Kennebunk and due certificate of the results filed by the town clerk with the Secretary of State.

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

Effective pending referendum.

CHAPTER 10

H.P. 872 - L.D. 1276

An Act To Improve Educational Assessments of Maine Students

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

Sec. 1. Department of Education to adopt educational assessment that does not collect personal student data. On the effective date of this section, the Department of Education shall terminate the State's membership in the Smarter Balanced Assessment Consortium and the use of the Smarter Balanced Assessment used to assess student achievement in the 2014-2015 school year. The department shall adopt a method of educational assessment pursuant to the Maine Revised Statutes, Title 20-A, section 6202 for the 2015-2016 school year and each school year thereafter that complies with federal law but does not collect or disseminate personal data and attributes of students, such as attitudes, values, motivations, stereotypes and feelings. The method of assessment must be selected with direct input from education stakeholders and must specifically address the needs of students and citizens of the State.

See title page for effective date.

CHAPTER 11

S.P. 436 - L.D. 1231

An Act To Create the Southwest Harbor Water and Sewer District

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

Sec. 1. Territorial limits and corporate name and purposes. The inhabitants and territory within the Town of Southwest Harbor constitute a utility district under the name of "Southwest Harbor Water and Sewer District," referred to in this Act as "the district," for the purpose of supplying the inhabitants of the district with potable water for domestic, commercial, sanitary and municipal purposes and for the purpose of providing in the district a system of public sewerage and drainage for the comfort, convenience and health of the inhabitants of the district.

Sec. 2. Powers of the Southwest Harbor Water and Sewer District. The district is authorized to take, hold, divert, use and distribute water from any source within the territory of the district, including but not limited to Long Pond in the Town of Southwest Harbor. The district has all the powers of a standard water district under the Maine Revised Statutes, Title 35-A, section 6404 and all the powers of a standard sewer district under Title 38, section 1039.

Sec. 3. Authority to lay mains, pipes, conduits and other water and sewerage conveyances through public ways and across private lands. The district is authorized to lay, maintain, repair and replace pipes, mains and other fixtures and appurtenances in, along and through the streets, roads, ways, highways, bridges, tidal waters, lakes, ponds, rivers and watercourses within the district and in, along and through private lands of any person or corporation within the district. When the district lays, maintains, repairs or replaces pipes, mains or any fixtures or appurtenances in any street, road, way or highway, it shall do so with as little obstruction as practicable to public travel and shall at its own expense and without unnecessary delay replace in proper condition the earth and pavement removed by it.

The district is authorized to lay, maintain, repair and replace pipes, mains and other fixtures and appurtenances to or into any drain or sewer now or hereafter built that empties into watercourses or treatment works, the discharge to be at such point or points consistent with the requirements of public health and as convenient and reasonable for the district and consistent with the requirements of applicable federal, state and local laws and the flow of existing watercourses.

Sec. 4. Sewer extensions. Sewer extensions are governed by the Maine Revised Statutes, Title 38, section 1042.