

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND THIRTY-FIRST LEGISLATURE

FIRST REGULAR SESSION
December 7, 2022 to March 30, 2023

FIRST SPECIAL SESSION
April 5, 2023 to July 26, 2023

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NONEMERGENCY LAWS IS
JUNE 29, 2023

THE GENERAL EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
NONEMERGENCY LAWS IS
OCTOBER 25, 2023

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

Augusta, Maine
2023

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

Effective May 30, 2023.

CHAPTER 6

S.P. 396 - L.D. 925

An Act to Allow the Baileyville Utilities District to Disconnect Water Service for a Customer's Failure to Pay for Sewer Service Provided by the Town of Baileyville

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

Sec. 1. P&SL 1975, c. 79, §13-A is enacted to read:

Sec. 13-A. Authorized to disconnect water service. The district may disconnect water service to a customer that fails to pay for sewer service provided to that customer by the Town of Baileyville, as long as the disconnection of water service:

1. Is limited to the customer and location to which the unpaid sewer service is provided;
2. Is in accordance with procedures established in applicable law or Public Utilities Commission rules governing disconnection of utility services; and
3. Is in accordance with terms and conditions approved by the Public Utilities Commission that are consistent with the requirements of the Maine Revised Statutes, Title 35-A, section 6111-C.

See title page for effective date.

CHAPTER 7

S.P. 680 - L.D. 1693

An Act to Amend the Kennebunk Sewer District Charter

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

Sec. 1. P&SL 2015, c. 9, §1, first ¶ is repealed and the following enacted in its place:

Sec. 1. Territorial limits; corporate name; purposes. The inhabitants and territorial limits within that part of the Town of Kennebunk situated between the Atlantic Ocean, to a point where the Little River meets the Atlantic Ocean, 43°20'07.3"N 70°32'21.0"W, along the eastern edge of the Little River to a point where the Little River meets Branch Brook,

43°20'59.8"N 70°32'54.7"W, along the eastern edge of Branch Brook to the western side of the Maine Turnpike where the Maine Turnpike crosses Branch Brook, 43°22'36.4"N 70°34'42.8"W, along the western edge of the Maine Turnpike to a point where the Maine Turnpike crosses the eastern edge of the Mousam River, 43°24'01.0"N 70°33'55.7"W, along the northeastern edge of the Mousam River to a point along the northeastern edge, 43°24'21.1"N 70°36'02.2"W, along a straight line on a northeastern bearing to a point, 43°24'45.0"N 70°35'37.5"W, along the centerline of Alfred Road, along a straight line on an eastern bearing to a point, 43°24'43.7"N 70°35'25.5"W, along a straight line on a northeastern bearing along Coyne-McKay Road to a point, 43°25'18.1"N 70°34'53.4"W, then northwestern along a straight line to a point, 43°25'29.0"N 70°35'15.9"W, then northeastern along a straight line to a point, 43°25'34.9"N 70°35'12.1"W, along the CMP powerline corridor, then in a northeastern bearing along a straight line to a point, 43°25'45.9"N 70°34'39.8"W, where the CMP powerline corridor crosses Ward Brook, then along the western edge of Ward Brook to a point where Ward Brook intersects the eastern side of the Maine Turnpike, 43°25'07.8"N 70°33'16.7"W, then along the eastern side of the Maine Turnpike to a point where the eastern side of the Maine Turnpike crosses the western side of the Kennebunk River, 43°25'47.0"N 70°32'50.6"W, then along the western edge of the Kennebunk River to a point where the Kennebunk River meets the Atlantic Ocean, 43°20'46.5"N 70°28'35.7"W, are made and declared to be a public sewerage district and a quasi-municipal corporation under the name "Kennebunk Sewer District," referred to in this Act as "the district," and is a system of public sewerage constructed, maintained and operated for the public health and welfare and for the benefits of the inhabitants and property in the district served by the sewerage facilities, in the manner and with the rights, duties and immunities as described in this Act and all applicable statutes.

See title page for effective date.

CHAPTER 8

S.P. 793 - L.D. 1950

An Act to Raise the Debt Limit of the Stonington Water Company

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 must take effect before the expiration of the 90-day period in order to allow for the timely financing of Stonington Water Company 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. P&SL 1907, c. 240, §11, first ¶, as amended by P&SL 1989, c. 101, is further amended to read:

Sec. 11. Borrow money and issue negotiable notes. For accomplishing the purposes of this Act, and for other expenses as may be necessary for the carrying out of the purposes, the company, through its trustees, is authorized to borrow money temporarily and to issue its negotiable notes; and for the purpose of renewing and refunding the indebtedness so created, of paying any necessary expenses and liabilities incurred under this Act, and in acquiring properties, paying damages, laying pipes, mains, aqueducts and conduits, constructing, maintaining and operating a water plant or system and making renewals, additions, extensions and improvements to the same, and to cover interest payments during the period of construction, the company, through its trustees, is also authorized to issue, from time to time, bonds, notes or other evidences of indebtedness of the company in one series, or in separate series, in any amount or amounts, bearing interest at a rate or rates, and having terms and provisions as the trustees shall determine; ~~provided, however, that, as long as~~ the total indebtedness of the company does not exceed the sum of ~~\$1,000,000~~ \$10,000,000 at any time outstanding; but bonds, notes or other evidences of indebtedness of the company ~~which that~~ have matured or otherwise become payable and for the payment of which adequate funds have been provided by depositing those funds with a paying or disbursing agent named in the bonds, notes or other evidences of indebtedness in trust for that purpose are not considered to be outstanding.

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

Effective June 13, 2023.

**CHAPTER 9
S.P. 736 - L.D. 1821**

**An Act to Validate Certain
Proceedings Authorizing the
Issuance of Bonds and Notes by
the City of Bath**

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 City of Bath is authorized pursuant to state law and its charter to borrow money and to issue its general obligation bonds and notes in furtherance of its municipal purposes; and

Whereas, at a city referendum held November 8, 2022, the voters of the city voted to adopt a bond ordinance that authorized the city to issue up to \$13,050,000 of its general obligation bonds and notes to finance the construction and equipping of a new fire station, as described in the notices, warrants and ballots for the referendum; and

Whereas, the voters of the city voted in favor of the bond question, 2,731 in favor and 1,264 against, with 285 blank ballots; and

Whereas, Section 1009 of the city charter requires that the complete text of the bond ordinance be published in a newspaper of general circulation in the city not less than 10 days nor more than 15 days prior to the election; and

Whereas, while the complete text of the bond ordinance was not published in a newspaper of general circulation in the city between 10 and 15 days prior to the election, the city held at least 5 workshops or public meetings on the bond prior to the election, the local newspaper printed an article about the proposed bond on October 9, 2022 and sample ballots were posted throughout the city; and

Whereas, the failure to publish the text of the bond ordinance as strictly required by the city creates a legal technicality that could affect the marketability of the bonds or notes to be issued by the city in connection with the project; and

Whereas, the city council will review the posting and notice requirements regarding permanent financing, initiatives and referenda in the city charter and present amendments for a referendum to address inconsistencies and improve the posting and notice process by November 7, 2023; 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. Validation and authorization. Notwithstanding any provision of the Maine Revised Statutes or the charter of the City of Bath to the contrary, the City of Bath referendum conducted on November 8, 2022 and the proceedings related to that referendum are validated and made effective. The City of Bath is authorized to enter into contracts and to issue bonds or notes of the city in an amount not to exceed \$13,050,000 to finance the construction and equipping of a new fire station, all as set forth in the bond ordinance the voters