

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND THIRTY-FIRST LEGISLATURE

SECOND REGULAR SESSION
January 3, 2024 to May 10, 2024

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
AUGUST 9, 2024

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

Augusta, Maine
2024

Sec. 1. Validation and authorization. Notwithstanding the Maine Revised Statutes, Title 20-A, section 1311, subsection 3, paragraph C, School Administrative District No. 52, referred to in this section as "the district," may issue temporary notes in a total principal amount not to exceed \$1,612,000 that mature not later than March 31, 2026 as necessary to finance a project authorized by the Department of Environmental Protection to replace the wastewater treatment plant with a new system with subsurface disposal in the Town of Turner. The district may, as necessary, issue refunding notes or renewal notes pursuant to this section. Any refunding notes or renewal notes issued pursuant to this section must meet the same requirements applicable to temporary notes as described in this section.

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

Effective March 28, 2024.

CHAPTER 21

S.P. 964 - L.D. 2242

An Act to Set a Debt Limit for the Anson and Madison Water 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, the Anson and Madison Water District's water main replacement project is under way and the district is paying invoices using a temporary loan; and

Whereas, the temporary financing can be converted to permanent financing only if the district's charter contains a debt limit sufficient to cover the district's debt; and

Whereas, the district is facing an untenable situation as its loan balance increases without having the certainty that its interim financing can be converted to permanent financing and this situation must be ameliorated as soon as possible; 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 2011, c. 6, §2, sub-§1 is enacted to read:

1. District debt limit. Notwithstanding any provision of the Maine Revised Statutes, Title 35-A, chapter 64 to the contrary, the trustees may issue bonds, notes or other evidences of indebtedness payable within a period of more than 12 months after the date of issuance up to a total amount of \$20,000,000.

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

Effective April 9, 2024.

CHAPTER 22

S.P. 897 - L.D. 2104

An Act to Amend the Charter of the Wiscasset Water District

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

Sec. 1. P&SL 1983, c. 82, §1 is amended to read:

Sec. 1. Territorial limits; name; purposes. ~~Subject to section 16, the~~ The inhabitants and territory within the Town of Wiscasset ~~shall constitute and the~~ Town of Edgecomb constitute a quasi-municipal corporation under the name of "Wiscasset Water District" for the purpose of supplying the inhabitants of the district with pure water for domestic, sanitary, manufacturing and municipal purposes. All incidental rights, powers and privileges necessary to the accomplishment of the main objectives set forth in this Act are granted to the Wiscasset Water District.

Sec. 2. P&SL 1983, c. 82, §1, sub-§1 is enacted to read:

1. Additional powers; water supply. The district is authorized to supply water to existing customers in the Town of Woolwich as allowed by the final order in Public Utilities Commission Docket No. 85-8, dated January 17, 1985. The district may also supply water to residents in the Town of Woolwich who are located outside the territory of the district to the extent permitted under and in accordance with applicable laws and rules and subject to approval by the Public Utilities Commission if required by the Maine Revised Statutes, Title 35-A.

Sec. 3. P&SL 1983, c. 82, §1, sub-§2 is enacted to read:

2. Additional powers; contracting with Wiscasset Wastewater Department. The district is authorized to contract with the Town of Wiscasset for the management, oversight, operations and billing

related to the functions of the Wiscasset Wastewater Department.

Sec. 4. P&SL 1983, c. 82, §8, first ¶ is amended to read:

Sec. 8. Board of trustees. All of the affairs of the district ~~shall be~~ are managed by a board of trustees composed of 5 members, ~~4 members~~ who are legal voters of the Town of Wiscasset ~~and one member who is a legal voter of the Town of Edgecomb. Initially the trustees shall be chosen by the municipal officers of Wiscasset.~~ Each trustee ~~shall serve~~ serves for a term of 3 years, ~~except that the initial trustees shall serve the following terms: One trustee shall serve until the next March town meeting; 2 trustees shall serve until the 2nd March town meeting; and 2 trustees shall serve until the 3rd March town meeting after the initial trustees are appointed. At the first meeting, the initial trustees may determine by agreement, or failing to agree, they shall determine by lot the term of office of each trustee. The term of office of the trustees shall end a trustee ends~~ at the annual town meeting ~~held in March for the town of which that trustee is a legal voter.~~ Whenever the term of office of a trustee ~~will expire~~ expires at the next town meeting ~~for the town of which that trustee is a legal voter,~~ a successor ~~shall must~~ be elected by secret ballot at the regular yearly municipal election ~~for the town of which that trustee is a legal voter to serve the full term of 3 years. In case any other vacancy arises, it shall must be temporarily filled by appointment by the selectmen members of the select board of the Town of Wiscasset with regard to a trustee who is a legal voter of the Town of Wiscasset or of the Town of Edgecomb with regard to the trustee who is a legal voter of the Town of Edgecomb, and shall must be permanently filled for the unexpired term at the next regular yearly town election for the town of which that trustee is a legal voter.~~ When any trustee ceases to be a resident of the Town of Wiscasset ~~with regard to a trustee who is a legal voter of the Town of Wiscasset or the Town of Edgecomb with regard to the trustee who is a legal voter of the Town of Edgecomb,~~ ~~he that person~~ vacates the office of trustee.

Sec. 5. Transition; trustees in office. Trustees of the Wiscasset Water District in office on the effective date of this Act may continue in office for the remainder of their terms. Notwithstanding Private and Special Law 1983, chapter 82, section 8, as amended by this Act, a legal voter of the Town of Edgecomb must be the successor to the trustee who is a legal voter of the Town of Wiscasset whose term expires first after the effective date of this Act or whose position is otherwise vacant prior to the expiration of that trustee's term. In the event that a trustee who is a legal voter of the Town of Wiscasset vacates that trustee's position prior to the expiration of that trustee's term and before the election of the first trustee who is a legal voter of the Town of Edgecomb, the vacancy must be temporarily filled for the unexpired term by appointment by the members of

the select board of the Town of Edgecomb of a trustee who is a legal voter of the Town of Edgecomb.

Sec. 6. Referendum; effective dates. Except as provided in section 7 of this Act, this Act takes effect when approved only for the purpose of permitting its submission to the legal voters within the Town of Wiscasset and the Town of Edgecomb at elections called for that purpose and held within 3 years of the effective date of this Act. The elections must be called, advertised and conducted according to the law relating to municipal elections. The registrars of the Town of Wiscasset and the Town of Edgecomb shall make a complete list of all eligible voters of the proposed district as described in Private and Special Law 1983, chapter 82, section 1, as amended by this Act. The list prepared by the registrars governs the eligibility of a voter to vote in an election pursuant to this Act. For the purpose of registration of voters, the registrars of voters must be in session the secular day preceding the election. An election must be called by the municipal officers of each of the 2 towns named in this section and must be held at the regular voting places. The subject matter of this Act is reduced to the following question:

"Do you favor expanding the Wiscasset Water District's service territory to include the entire Town of Edgecomb?"

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 Wiscasset and the Town of Edgecomb and due certificate of the results filed by the towns' clerks 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 elections. Failure to achieve the necessary approval in any referendum does not prohibit subsequent referenda consistent with this section, as long as the referenda are held within 3 years of the effective date of this Act.

Sec. 7. Effective date; Woolwich customers and contracting with Wiscasset Wastewater Department. Sections 2 and 3 of this Act take effect for all purposes 90 days after the adjournment of the Second Regular Session of the 131st Legislature.

Effective pending referendum, unless otherwise indicated.