

# MAINE STATE LEGISLATURE

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# 121st MAINE LEGISLATURE

## FIRST REGULAR SESSION-2003

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Legislative Document

No. 66

H.P. 74

House of Representatives, January 16, 2003

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**An Act to Repeal the Mandate to Perambulate the Municipal  
Boundary Lines when there is No Boundary Dispute**

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Reference to the Committee on State and Local Government suggested and ordered printed.

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative HEIDRICH of Oxford.  
Cosponsored by Senator BENNETT of Oxford and  
Representatives: GAGNE-FRIEL of Buckfield, SNOWE-MELLO of Poland, TOBIN of  
Windham.

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

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4       **Sec. 1. 30-A MRSA §2851, first ¶**, as enacted by PL 1987, c. 737,  
Pt. A, §2 and Pt. C, §106 and amended by PL 1989, c. 6, c. 9, §2  
and c. 104, Pt. C, §§8 and 10, is further amended to read:

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8       Boundary If a municipality, acting through its board of  
10 municipal officers, formally advises the municipal officers of  
12 one or more adjoining municipalities that there is a dispute  
14 regarding the location of the boundary or boundaries between the  
16 municipality and its adjoining municipalities, the boundary lines  
between municipalities shall ~~must~~ be perambulated ~~once-every-5~~  
years to determine whether the boundary location is apparent  
within 5 meters, ~~except as provided in subsection 7.~~ The  
following procedures apply.

18       **Sec. 2. 30-A MRSA §2851, sub-§7**, as enacted by PL 1987, c.  
737, Pt. A, §2 and Pt. C, §106 and amended by PL 1989, c. 6, c.  
9, §2 and c. 104, Pt. C, §§8 and 10, is further amended to read:

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22       **7. Monumentation and record.** Municipal boundaries do not  
need ~~not~~ to be perambulated ~~more-often-than-once-every-10-years~~  
if:

24       A. Monuments of granite or other material of comparable  
26 life and resistance to movement are located at all angle  
points and at intervals not exceeding 500 meters along  
28 straight boundaries, except for water crossings ~~which~~ that  
exceed that interval;

30       B. Monuments have drill holes or punch marks in inserts not  
32 exceeding one centimeter in diameter, indicating the point  
on the monument to be used as the boundary; and

34       C. Boundaries are shown to scale on a plan filed at the  
36 offices of the adjoining municipalities and at the registry  
of deeds of the county, or adjoining counties, in which the  
38 municipalities are located, and that plan includes:

40           (1) The location of all monuments together with  
42 dimensions by which those monuments may be found and  
checked for accuracy; and

44           (2) A certification by a qualified and registered land  
46 surveyor that the surveyor has examined the records of  
the legislative action which created that boundary,  
48 verified the location of the boundary monuments on the  
ground and finds agreement, subject to any minor  
discrepancies that have been noted on the plan.

## SUMMARY

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This bill repeals the requirement that boundary lines between municipalities be perambulated once every 5 years. The bill requires a municipality to perambulate the municipal boundaries only if there is a dispute concerning the municipal boundary line. Perambulation is not necessary to resolve the dispute if the boundary lines are well marked and a survey of the boundaries is recorded in the registry of deeds.