

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE

ONE HUNDRED AND EIGHTH LEGISLATURE
AT THE

SECOND REGULAR SESSION

January 4, 1978 to April 6, 1978

FIRST SPECIAL SESSION

(No laws enacted)

September 6, 1978 to September 15, 1978

SECOND SPECIAL SESSION

October 18, 1978

THIRD SPECIAL SESSION

December 6, 1978

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED, TITLE 3, SECTION 164, SUBSECTION 6.

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1979

PRIVATE AND SPECIAL LAWS
OF THE

STATE OF MAINE

AS PASSED AT THE

SECOND REGULAR SESSION

of the

ONE HUNDRED AND EIGHTH LEGISLATURE

January 4, 1978 to April 6, 1978

This Act shall take effect for all aforementioned purposes immediately upon its acceptance by a majority of the legal voters voting at this election provided that total number of votes cast for and against the acceptance of this Act equals or exceeds 30% of the total votes for all candidates for Governor cast in the last previous gubernatorial election in Washington County.

The result of this election shall be declared by the Washington County commissioners and due certificate filed with the Secretary of State.

Effective July 6, 1978

CHAPTER 101

AN ACT to Revise the Municipal Boundary between the Town of Old Orchard Beach and the City of Saco.

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the Old Orchard Beach pier has long provided an important recreational facility for the citizens of southern Maine and the entire State; and

Whereas, the present facility is inadequate to meet the changing and growing recreational needs of these citizens; and

Whereas, the Town of Old Orchard Beach is currently engaged in a study to determine the feasibility of the construction of a municipal pier; and

Whereas, the owners of the present Old Orchard Beach pier are planning an expansion and extension of that pier seaward and have made application to the Army Corps of Engineers to permit that expansion and extension; and

Whereas, the possible construction of a municipal pier or the extension of the present pier would place part of either facility within the municipality of Saco; and

Whereas, it is imperative for proper development and use of the pier that control, regulation and taxation of the facility be subject to one municipality only; and

Whereas, to permit ongoing planning and applications to be completed in time to avoid disruption of planned recreational use of the pier by Maine's citizens, it is imperative that the municipal boundary between Old Orchard Beach and Saco be immediately altered to permit either the planned municipal pier or the extended privately owned pier to be located entirely within the boundaries of Old Orchard Beach; 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 1883, c. 248, § 1, as amended by P&SL 1927, c. 132, is further amended to read:

Sec. 1. **Boundaries changed and extended; payment of damages.** All that part of the city of Saco lying within the following described lines and boundaries, namely; commencing at the easterly corner between the said city of Saco and the town of Scarborough; thence by the line between said city of Saco and said town of Scarborough northwesterly to a stone in the sea wall; thence north forty-two degrees and fifty-five minutes west, by a set line six hundred ninety-three rods, to a granite stone placed at a point where the line between said city of Saco and said town of Scarborough intersects with a line in the said city of Saco known as the Granger line; thence southerly, forty-seven degrees and twelve minutes west, eight hundred sixty-three and one-half rods, to a granite stone on the bank of Goose Fair Brook in said city of Saco; thence southeasterly by said Goose Fair Brook to the sea; thence southeasterly, on the same course, 500 feet to a point; thence northeasterly, parallel to and 500 feet distant from the shore to a point 500 feet southeasterly from the boundary first above named; thence northwesterly 500 feet to the boundary first above named, or to such distance as the city of Saco may have owned or controlled prior to February twentieth, eighteen hundred and eighty-three; ~~thence by the sea to the boundary first above named~~ with all the sea shore and flats and all other interests in said land lying between the medial line of said Goose Fair Brook extended and said easterly corner of the city of Saco is hereby incorporated into a separate town by the name of Old Orchard and the inhabitants thereof are hereby invested with all the powers and privileges and are made subject to all the duties and liabilities incident to other towns within this state. Provided the town of Old Orchard pay to the city of Saco, as damages, such an amount as a committee, composed of the chairmen of the boards of assessors of said Saco and of said Old Orchard and one other disinterested person by them selected, may determine is just and equitable.

Sec. 2. P&SL 1883, c. 248, § 2 is repealed.

Sec. 3. P&SL 1883, c. 248, § 4 is repealed.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.

Effective March 29, 1978

CHAPTER 102

AN ACT to Provide Compensation and Benefits Agreed to by the State and Council 74, American Federation of State, County and Municipal Employees, (AFSCME) for Employees in the Institutional Services Bargaining Unit.