

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND NINTH LEGISLATURE

FIRST REGULAR SESSION

January 3, 1979 to June 15, 1979

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The services of the members of the State's Panel of Mediators, to a maximum of 3 mediation days per case, and of the Maine Board of Arbitration and Conciliation are available to the parties without cost.

Sec. 4. 26 MRSA § 1026, sub-§ 5, as enacted by PL 1975, c. 603, § 1, is amended to read:

5. **Costs.** The costs for the first 3 days of services of the panel of mediators shall be paid by the board. The following costs shall be shared equally by the parties to the proceedings: All costs for the panel of mediators not required to be paid by the board; **the costs of the fact-finding board including, if any, per diem expenses and actual and necessary travel and subsistence expenses** and the costs of the neutral arbitrator or arbitrators, including, if any, per diem expenses and actual and necessary travel and subsistence expenses; the costs of the Federal Mediation and Conciliation Service or the American Arbitration Association **Association**; and the costs of hiring the premises where any **fact-finding or** arbitration proceedings are conducted. All other costs shall be assumed by the party incurring them. The services of the Maine Board of Arbitration and Conciliation shall be available to the parties without costs.

Effective September 14, 1979

CHAPTER 502

H. P. 1281 — L. D. 1534

AN ACT Regarding Laws Relating to Town Lines.

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

Sec. 1. 30 MRSA § 2001 is repealed.

Sec. 2. 30 MRSA § 2001-A is enacted to read:

§ 2001-A. Identification of boundary lines

Boundary lines between municipalities shall be perambulated once every 5 years to determine whether the boundary location is apparent within 5 meters. The following procedures shall apply.

1. **Notice.** The municipal officers shall give a 10-day written notice to the officers of the adjoining municipalities advising them of the time and place of meeting for perambulation.

2. **Failure to appear.** If the officers of any municipality fail to appear in

person, or by representative, at the time and place appointed for the required perambulation, the municipality which complies with its duty may perambulate the line and charge the other municipality for ½ the expense incurred.

3. Expense. The expense of perambulation shall be borne equally by each municipality.

4. Unorganized area. Where a municipality adjoins an unorganized area, the county in which this area is located stands in the same relation as a municipality for the purpose of perambulating its boundary lines and paying its share of the expense of the perambulation. The county commissioners shall perform the duties required of municipal officers.

5. Record of observations. In the records of the adjoining municipalities there shall be recorded the dates and times when the perambulation took place, the names of the municipal officers participating and, either a certification by the participants that they were able to identify all monuments described in the legislated definition of the boundary and that the boundary location was apparent within 5 meters at all locations along its length, or a statement of the deficiencies found and a record of the action taken to correct those deficiencies.

6. Deficiencies. If all monuments are found in place and apparently undisturbed, but the boundary location is in doubt because of obstructions to visibility between monuments occurring since the last perambulation, the municipal officers shall act to have the line cleared of obstructions. If monuments have been disturbed or destroyed, or for some other reason it becomes necessary to precisely locate the boundary line, the municipal officers shall locate and monument the line, so that the certification required by subsection 5 may be completed.

7. Monumentation and record. Municipal boundaries need not be perambulated more often than once every 10 years if:

A. Monuments of granite or other material of comparable life and resistance to movement are located at all angle points and at intervals not exceeding 500 meters along straight boundaries, excepting water crossings which exceed the interval;

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

C. Boundaries are shown to scale on a plan filed at the offices of the adjoining municipalities and at the registry of deeds of the county, or adjoining counties, in which the municipalities are located, and that plan includes the location of all monuments together with dimensions by which those monuments may be found and checked for accuracy, and a certification by a qualified and registered land surveyor that he has examined the records of the legislative action by which that boundary was created, verified the location of the boundary monuments on

the ground, and finds agreement, subject to such minor discrepancies as he has noted on the plan.

Sec. 3. 30 MRSA § 2002, sub-§§ 5 and 6 are amended to read:

5. **True line.** When the report has been accepted by the court, the line established by the commissioners becomes the true line for every municipal purpose, and the court shall order the interested municipalities to replace the temporary markers with ~~stone~~ monuments as provided in section ~~2001~~ 2001-A, subsection~~6~~ 7.

6. **Expense.** The expense of erecting ~~stone~~ monuments shall be borne equally by each municipality.

Effective September 14, 1979

CHAPTER 503

H. P. 522 — L. D. 666

AN ACT to Establish Energy Efficiency Building Performance Standards for the State of Maine.

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

Sec. 1. 5 MRSA § 5004, sub-§ 3, ¶¶ J, K, L and M are enacted to read:

J. Adopt energy conservation standards and promulgate rules and regulations for administration of such standards and the certification of energy efficient buildings as defined in Title 10, chapter 214;

K. Provide for the approval or denial of certificates of energy efficiency as required in Title 10, chapter 214;

L. Prepare a manual of accepted practices as described in Title 10, chapter 214; and

M. Provide for the review of plans and specifications and the inspection of buildings to determine compliance of the building with the energy conservation standards as described in Title 10, chapter 214.

Sec. 2. 10 MRSA c. 214 is enacted to read:

CHAPTER 214

ENERGY EFFICIENCY BUILDING PERFORMANCE STANDARDS