

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND ELEVENTH LEGISLATURE

FIRST REGULAR SESSION
December 1, 1982 to June 24, 1983
Chapters 1-452

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

J.S. McCarthy Co., Inc.
Augusta, Maine
1983

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

and

FIRST SPECIAL SESSION

of the

ONE HUNDRED AND ELEVENTH LEGISLATURE

1983

(7) "Condominium" means real estate, portions of which are designated for separate ownership and the remainder of which is designated for common ownership solely by the owners of those portions under a declaration, or an amendment to a declaration, duly recorded pursuant to this Act. Real estate is not a condominium unless the undivided interests in the common elements are vested in the unit owners; Any real estate development consisting exclusively of clustered, detached, single family residences is not a condominium, unless so designated in the declaration;

Effective September 23, 1983.

CHAPTER 191

H.P. 700 - L.D. 889

AN ACT to Amend the Procedure for Assessing Surveying Costs in Court Cases.

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

14 MRSA §6852, as amended by PL 1977, c. 72, is further amended to read:

§6852. Fees of surveyor; determination of amount paid by parties

The amount of the fees and necessary expenses of such the surveyor shall be fixed and determined by the court upon the acceptance of the report, and shall be paid as follows: if the court is of the opinion that such fees and expenses, or some portion of the same, ought to be paid by the county, then the amount thereof to be paid by the county, whether the whole or a part, shall, after notice and hearing to the county, be fixed and determined by the court and the amount so fixed and determined shall be paid by the county on presentation of the proper certificate of the clerk of courts for that county. After notice to all parties and a hearing held thereon, if the court is of the opinion that the whole or any part or portion of such fees and expenses should be paid by the parties to the action, or by either of such parties, then the court may fix and determine the amount to be paid by such the parties to the action, or by either of such the parties, and the amount determined to be due from such the parties, or by either of such the parties, shall have the force and effect of a

judgment in favor of the surveyor against such the parties or either of such the parties and any execution upon such the judgment may run against the body of such the party or of either of such the parties.

Effective September 23, 1983.

CHAPTER 192

H.P. 804 - L.D. 1044

AN ACT Relating to the Maine Municipal and Rural Electrification Cooperative Agency.

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

Sec. 1. 35 MRSA §4101, sub-§1, as enacted by PL 1981, c. 422, is amended to read:

1. Establishment. The Maine Municipal and Rural Electrification Cooperative Agency is created, declared and established to be a body politic and corporate and political subdivision of the State with the duties and powers set forth in this Act, to carry out this Act. The agency is constituted a public instrumentality exercising public and essential governmental functions and as a quasi-municipal corporation, and the exercise by the agency of the powers conferred by this Act is deemed and held to be the performance of an essential governmental function of the State.

Sec. 2. 35 MRSA §4101, sub-§2, as enacted by PL 1981, c. 422, is amended to read:

2. Powers. The powers of the agency shall be exercised by a board of directors. The board shall consist of directors appointed by the Governor in the following manner. The governing body or board of directors of any municipality and the board of trustees or directors of any cooperative may submit a list or lists of 3 or more natural persons as recommendations to the Governor for appointment to the agency's board of directors, and the Governor, in his discretion, shall appoint one such person as a director of the agency from the list or lists submitted to him by the governing body or board of directors of each municipality and one such person as a director of the agency from the list or lists submitted to him by the board of trustees or directors of each cooperative; provided that no 2 directors may be recommended by the same cooperative or municipality. The Governor shall also appoint as a member a person