

# MAINE STATE LEGISLATURE

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**LAWS**  
OF THE  
**STATE OF MAINE**

AS PASSED BY THE

ONE HUNDRED AND TWELFTH LEGISLATURE

**FIRST REGULAR SESSION**

December 5, 1984 to June 20, 1985  
Chapters 384-End

AND AT THE

**FIRST SPECIAL SESSION**

November 13, 1985

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

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J.S. McCarthy Co., Inc.  
Augusta, Maine  
1985

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**PRIVATE AND  
SPECIAL LAWS**

OF THE

**STATE OF MAINE**

AS PASSED AT THE  
FIRST REGULAR SESSION

of the

ONE HUNDRED AND TWELFTH LEGISLATURE

1985

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1984-85

JUDICIAL DEPARTMENT

Courts - Supreme Judicial, Superior, District and Administrative

Capital Expenditures	\$50,000
Allocates federal funds for the automation of the courts. Funds are to be received by transfer from the Highway Safety Project.	

JUDICIAL DEPARTMENT  
TOTAL

\$50,000

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

Effective June 6, 1985.

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## CHAPTER 33

H.P. 1098 - L.D. 1592

### AN ACT to Allow the Town of York to Repair Private Roads Within Subdivisions.

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

Sec. 1. Authorization. The Town of York is authorized to perform work on private roads within town approved subdivisions, subject to the provisions of this Act, for the purpose of bringing those roads into conformity with the road standards adopted by the town. A private road is defined as a road which has never been accepted by the town's legislative body as a town way, private way or a public easement and over which the general public has no legal right of access.

Sec. 2. Petition by abutters. Two thirds of the owners of property abutting a private road within a subdivision in the Town of York may petition the town to perform work which brings the road, or any portion of the road, into conformity with the road standards adopted by the town by ordinance or subdivision regu-

lations. The municipal officers shall present such a petition for consideration by the legislative body only if all of the following requirements have been met:

1. The petition is presented at least 35 days prior to the annual budget meeting for consideration at that meeting;

2. The petition has been signed by at least 2/3 of the owners of property abutting the private road which is the subject of the petitions; and

3. The owners who signed the petition present sufficient proof, which satisfies the municipal officers, that they have a legal right-of-way to the private road.

For the purposes of this section, "owner" means the person or persons who hold legal title to the property. If a single individual or group of individuals own more than one piece of property under separate deeds, they are deemed to be a single owner for purposes of this section.

In reaching its decision, the town shall consider the exigency of the request, whether the work is necessary for safety reasons, the town's ability to perform the work and the possibility of successful litigation by the property owners against the subdivider to require him to perform the work. The decision by the municipality shall be final. If the petition is granted, it shall be with the understanding that work required on town ways has priority over any work to be done on private roads. The town does not obligate itself in any way to accept a private road as a town way merely by virtue of the municipality's decision to perform work pursuant to this Act.

Sec. 3. Assessments. When the town has completed the work pursuant to this Act, the municipal officers shall determine what lots or parcels of land are benefited by the road improvements and shall estimate and assess against the owners of the lots or parcels of land a sum equal to the total actual expenses of the work, including labor, materials, equipment and any related insurance or administrative costs prorated among the owners according to the number of feet the lot or parcel of land borders the road.

Sec. 4. Collection of assessments. All assessments made pursuant to this Act shall be certified by the municipal officers and shall be paid within 30

days after demand, or a special tax may be assessed by the assessors against the land for the amount of the expenses and this amount shall be included in the next annual warrant of the tax collector and shall be collected in the same manner as other state, county and municipal taxes are collected. The Town of York may provide by ordinance for the collection of the assessments over a period of time not to exceed 5 years and may implement this collection method if the assessed property owner has agreed to this method in writing and notice of this fact has been recorded in the York County register of deeds. The municipal officers shall annually commit to the tax collector a list of installment payments due the town which shall be collected with interest at a rate determined by the town.

Sec. 5. Repeal. Sections 1, 2 and 3 of this Act are repealed on January 1, 1991.

Effective September 19, 1985.

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## CHAPTER 34

S.P. 375 - L.D. 1009

AN ACT to Authorize Sagadahoc County to Raise  
Funds to Renovate and Expand the  
Present Courthouse at Bath.

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

Sec. 1. To raise money for courthouse renovations and additions. The county commissioners of Sagadahoc County are authorized to raise and expend, by issuing bonds or notes, a sum not exceeding \$1,250,000 to make renovations and additions to the courthouse at Bath.

Sec. 2. Aid from other sources. The county commissioners of Sagadahoc County are authorized to borrow any portion of the sums authorized by this Act from or through any agency or department of the State and of the Federal Government. The county commissioners are authorized to receive grants of money and other assistance from or through any agency or department of the State and of the Federal Government for any of the purposes authorized in this Act.

Sec. 3. Bonds or notes. To provide funds for