

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND TWELFTH LEGISLATURE

SECOND REGULAR SESSION
January 8, 1986 to April 16, 1986

SECOND SPECIAL SESSION
May 28, 1986 to May 30, 1986

AND AT THE

THIRD SPECIAL SESSION
October 17, 1986

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

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

RESOLVES
OF THE
STATE OF MAINE

AS PASSED AT THE
SECOND REGULAR SESSION
of the
ONE HUNDRED AND TWELFTH LEGISLATURE
1985

Whereas, unforeseen costs for Washington County forced Washington County to make additional expenditures in their budget during a time when the Legislature was not in session; and

Whereas, these expenses could not have been foreseen in the original Washington County budget, but had to be paid in order to satisfy valid claims against Washington County; and

Whereas, Washington County used unappropriated surplus funds to satisfy these claims against Washington County without prior authorization of law; 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

Washington County Commissioners; reimbursement for overdrafts ratified and authorized. Resolved: That the Washington County Commissioners' expenditures from unappropriated surplus in 1985 in the following amounts and for the following purposes are ratified and authorized:

1. \$17,595 for contractual services on the Washington County Courthouse; and
2. \$25,682.88 for jail contractual services.

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

Effective April 11, 1986.

CHAPTER 73

H.P. 1439 - L.D. 2030

Resolve, Directing the Director of the Bureau of Public Lands to Convey the State's Interest in Certain Lands Surrounding Little Sebago Lake.

Whereas, the Legislature finds that the State's retention of certain lands surrounding Little Sebago

Lake in the County of Cumberland inhibits the marketability of title of several abutting landowners; and

Whereas, the Legislature finds that these lands retained by the State are substantially valueless for public trust purposes since they consist of small, scattered lots of land and have been used principally by abutting landowners for many years; and

Whereas, the release of state claims to these lands will not impair the public trust in remaining lands; and

Whereas, abutting landowners have long considered and used these lands as their own and the great majority of the state claims to these lands were surrendered to other abutting property owners over 25 years ago; and

Whereas, the release of the State's interest in these remaining lands is just and equitable to those persons who own the abutting lands; now, therefore, be it

Conveyance of State's interest in lands directed. Resolved: That, in accordance with the provisions of this resolve, the Director of the Bureau of Public Lands shall convey the lands described in subsection 1.

1. The Director of the Bureau of Public Lands shall, upon application and compliance with the provision of this resolve by the upland property owner, convey by quitclaim deed the State's interest in the lands included in the area on the shore of Little Sebago Lake in Cumberland County, which lands lie in whole or in part between the ancient low-water mark as established by the common law and the present low-water mark of the lake, to those persons who have clear title to the upland land abutting the land described in this subsection, as evidenced by deeds and conveyances of record.

2. The Attorney General shall provide all necessary legal assistance to the bureau to accomplish the mandate of this resolve. With the approval of the Attorney General, the bureau may hire the services of private counsel. The owner of an upland lot who desires to obtain the State's interest, as described in subsection 1, must have all necessary title searches performed and must provide all necessary documentation before a quitclaim deed may be granted under subsection 1. At the time of application, the owner of an upland lot shall:

A. Provide documentation of proof of title to the upland lot abutting the land to which he wishes to acquire title. The documentation shall include a certified title opinion from a Maine attorney that the upland lot owner holds clear title to that land;

B. Provide a copy of a site plan showing the boundary lines of his abutting upland lot and neighboring abutting lots and the proposed extension of the boundary lines to the shoreline of the lake over the property to which he wishes to acquire title. The site plan shall be certified by a licensed Maine land surveyor; and

C. File an affidavit that the notice requirements of this paragraph have been fulfilled, a copy of any notice sent to abutters as required by this paragraph and a signed agreement from the abutting land owner or owners that the abutting owner or owners agree to the extension of boundary lines proposed or, in the event no agreement can be reached with the abuttor or abutters, a statement to that effect signed by the upland lot owner.

The owner of the upland lot shall give notice, including a copy of the site plan, to owners of land abutting on either side of his land. Notice shall be by certified mail and shall be mailed at least 15 days before filing the application with the bureau. The notice shall include a statement that if the abutting landowner disputes or has questions concerning the application he may contact the Bureau of Public Lands.

3. Within 30 days of receipt of a completed application as provided in subsection 2, the Director of the Bureau of Public Lands shall determine an equitable method of extending the boundary of the upland lot to the shoreline through the state land and shall issue a quitclaim deed as provided in subsection 1. The owner of an upland lot who desires to obtain the State's interest in lands described in subsection 1 must accept the director's decision as to boundary lines before a quitclaim deed may be granted under subsection 1. The director's decision on the location of the lot lines is not reviewable by a court of law. The director may establish a fee payable by upland owners applying for a quitclaim deed under subsection 1. The fee shall be calculated to

compensate the State for the reasonable costs involved in administering this resolve.

Effective July 16, 1986.

CHAPTER 74

H.P. 1534 - L.D. 2162

Resolve, for Laying of the County Taxes and Authorizing Expenditures of Lincoln County for the Year 1986.

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

Whereas, Lincoln County has certain expenses and liabilities which must be met as they become due; and

Whereas, it is necessary that the taxes for the year 1986 hereinafter mentioned be immediately assessed in order to provide the required revenue for the county; 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

Sec. 1. Lincoln County; taxes apportioned. Resolved: That the following sum is granted as a tax on Lincoln County to be apportioned, assessed, collected and applied to the purposes of paying debts and necessary expenses of the county as authorized herein, and for other purposes of law, for the calendar year 1986:

1986 TAX

\$1,420,531

; and be it further

Sec. 2. General Fund expenditures authorized. Resolved: That the following sums, based on the county budget filed in the office of the Secretary of State, are authorized as General Fund expenditures by