

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND THIRTEENTH LEGISLATURE

AS PUBLIC LAWS AND CONSTITUTIONAL RESOLUTIONS

at the

THIRD SPECIAL SESSION

September 15, 1988 to September 16, 1988

and the

FOURTH SPECIAL SESSION

November 28, 1988

AND

AS PRIVATE AND SPECIAL LAWS AND RESOLVES

at the

FIRST REGULAR SESSION

December 3, 1986 to June 30, 1987

FIRST SPECIAL SESSION

October 9, 1987 to October 10, 1987

SECOND SPECIAL SESSION

October 21, 1987 to November 20, 1987

SECOND REGULAR SESSION

January 6, 1988 to May 5, 1988

THIRD SPECIAL SESSION

September 15, 1988 to September 16, 1988

and the

FOURTH SPECIAL SESSION

November 28, 1988

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

Twin City Printery
Lewiston, Maine
1989

**PRIVATE AND
SPECIAL LAWS**

OF THE

STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

of the

ONE HUNDRED AND THIRTEENTH LEGISLATURE

1987

costs affected by that consolidation shall be properly identified and included in the budget process in accordance with the Maine Revised Statutes, Title 5, chapter 149. When the Legislature is not in session, upon recommendation of the State Budget Officer, the Governor may approve necessary adjustments to these consolidations for a period not to extend beyond the end of the fiscal year. The Director of the Legislative Office of Fiscal and Program Review shall be notified of any such action. The unencumbered balance of each administrative account established pursuant to this section shall be carried forward at the end of each fiscal year and the budgeted transfers to the administrative account for the ensuing year shall be proportionally reduced by the amount of that carried balance.

Sec. 16. Unified state budget. The Governor, when submitting the budget to the Legislature, shall submit the budget document and the General Fund, Highway Fund and funds of the Department of Inland Fisheries and Wildlife bills in a manner that will identify the gross amount of resources for each program. The gross unified budget bills and budget document shall encompass resources from all funds, including, but not limited to: General Fund, Highway Fund, Federal Expenditure Fund, Federal Block Grant Fund and Other Special Revenue funds. Separate gross unified budget bills shall be submitted for the General Fund, the Highway Fund and the Department of Inland Fisheries and Wildlife funds.

Sec. 17. Line category amounts of General Fund, Highway Fund and the Department of Inland Fisheries and Wildlife funds. The amounts included in the unified state budget by line category are the amounts included immediately under the "appropriations and allocations" section of the individual pages in the budget document for the General Fund, the Highway Fund and the Department of Inland Fisheries and Wildlife funds. These amounts, as adjusted by the Legislature, will be used when preparing work programs by fund for each fiscal year of the biennium.

Sec. 18. Multiple accounts certification. If any amounts identified to a fund in the source of funds section are to be distributed to more than one account within that fund, the department or agency head responsible for those funds shall certify to the State Budget Officer the amounts included in each account by line category and shall certify that the sum of the accounts by fund, by line category, equals the approved totals of the program within the Act.

Sec. 19. Year-end closing. The State Controller may close the books as soon as practicable after the close of the fiscal years ending June 30, 1988, and June 30, 1989. Any bills presented after those dates may be paid from appropriations or allocations for the ensuing year on recommendation of the State Controller if within the amounts of approved allotments.

Sec. 20. Appropriation and allocation balances at

year end. At the end of each fiscal year, all unencumbered appropriation and allocation balance shall lapse into the fund or the account balances and shall not be available unless authorized by law. At the end of each fiscal year, all encumbered balances shall not be carried more than once.

Sec. 21. Reorganization of departments. No department or agency may be allowed to reorganize between accounts in the Part I current services budget. Any such reorganization shall be submitted in the Part II new or expanded services budget or separate legislation.

Sec. 22. Appropriation or allocation of funds. Any funds appearing in this Act which are specifically appropriated or allocated in another act are included in this Act for informational purposes only, as are general ledger accounts. Governmental funds not specifically appropriated or allocated in another act are appropriated or allocated in accordance with section 1.

Sec. 23. Other appropriation and allocation measures. It is intended that the language in this Act, except for section 22, shall apply to all other appropriation and allocation measures enacted by the Legislature.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect July 1, 1987.

Effective July 1, 1987.

CHAPTER 32

H.P. 1139 — L.D. 1549

AN ACT to Change the Perry-Pembroke Boundary Line.

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

Whereas, it is of concern that the people of the State be allowed to govern themselves on a local level; and

Whereas, it is the purpose of this legislation to allow the inhabitants of the 2 towns concerned to join in the governing of their own affairs and desirable that the referenda for ratification of the proposed annexation be permitted as soon as possible; 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:

Land annexed to Pembroke. A tract of land in the Town of Perry, described in this section, shall be annexed to the Town of Pembroke. The base-line description is as follows:

Beginning at a point about fifty-eight (58) feet westerly of the centerline of the present traveled way of U.S. Route #1 in the Town of Perry and designated as P.T. Sta. 227 + 19.6;

Thence N. $81^{\circ}30'$ W. a distance of nine hundred thirty-three and six tenths (933.6) feet to P.C. Sta. 236 + 53.2;

Thence in a westerly direction by a 14° curve to the left a distance of one hundred sixty-one and six tenths (161.6) feet to P.T. Sta. 238 + 14.8;

Thence S. 75° W. a distance of three hundred twelve and four tenths (312.4) feet to P.C. Sta. 241 + 27.2;

Thence in a westerly direction by an 8° curve to the right a distance of two hundred forty-three and one tenth (243.1) feet to P.T. Sta. 243 + 70.3;

Thence N. 85° W. a distance of sixty-two and four tenths (62.4) feet to P.C. Sta. 244 + 32.7;

Thence westerly by a 12° curve to the right a distance of two hundred eleven and one tenth (211.1) feet to P.T. Sta. 246 + 43.8, at a point in the present traveled way of the former location of U.S. Route 1 (as located prior to 1950) in the Town of Pembroke and also being eighty-three and eight tenths (83.8) feet westerly of the Perry-Pembroke Town Line.

Description of tract set-off is as follows:

Beginning at a point in the present westerly line of U.S. Route #1, said point being thirty-three (33) feet southerly from and as measured along a line at right angles to the Base Line at about Sta. 227 + 80;

Thence N. $81^{\circ}30'$ W. about eight hundred seventy-three (873) feet to a point thirty-three (33) feet southerly from and as measured along a line at right angles to the Base Line at P.C. Sta. 236 + 53.2;

Thence in a westerly direction along a curved line thirty-three (33) feet southerly from and concentric with the Base Line one hundred forty-eight and six tenths (148.6) feet to a point on a line at right angles to the Base Line at P.T. Sta. 238 + 14.8;

Thence S. 75° W. three hundred twelve and four tenths (312.4) feet to a point thirty-three (33) feet southerly from and as measured along a line at right angles to the Base Line at P.C. Sta. 241 + 27.2;

Thence in a westerly direction along a curved line thirty-three (33) feet southerly from and concentric with the Base Line two hundred fifty-four and three tenths (254.3) feet to a point on a line at right angles to the Base Line

at P.T. Sta. 243 + 70.3;

Thence N. 85° W. sixty-two and four tenths (62.4) feet to a point thirty-three (33) feet southerly from and as measured along a line at right angles to the Base Line at P.C. Sta. 244 + 32.7;

Thence in a westerly direction along a curved line thirty-three (33) feet southerly from and concentric with the Base Line about one hundred twenty-five (125) feet to a point in the line between the Towns of Perry and Pembroke, said point being on a line normal to the Base Line at about Sta. 245 + 50;

Thence northerly along the line between the Towns of Perry and Pembroke about sixty-eight (68) feet to a point thirty-three (33) feet northerly from and as measured along a line normal to the Base Line at about Sta. 245 + 70;

Thence in an easterly direction along a curved line thirty-three (33) feet northerly from and concentric with the Base Line about one hundred twenty-eight (128) feet to a point on a line at right angles to the Base Line at P.C. Sta. 244 + 32.7;

Thence S. 85° E. sixty-two and four tenths (62.4) feet to a point thirty-three (33) feet northerly from and as measured along a line at right angles to the Base Line at P.T. Sta. 243 + 70.3;

Thence in an easterly direction along a curved line thirty-three (33) feet northerly from and concentric with the Base Line two hundred thirty-one and nine tenths (231.9) feet to a point on a line at right angles to the Base Line at P.C. Sta. 241 + 27.2;

Thence N. 75° E. three hundred twelve and four tenths (312.4) feet to a point thirty-three (33) feet northerly from and as measured along a line at right angles to the Base Line at P.T. Sta. 238 + 14.8;

Thence in an easterly direction along a curved line thirty-three (33) feet northerly from and concentric with the Base Line one hundred seventy-four and six tenths (174.6) feet to a point on a line at right angles to the Base Line at P.C. Sta. 236 + 53.2;

Thence S. $81^{\circ}30'$ E. about eight hundred thirty-three (833) feet to a point in the present westerly line of U. S. Route #1, said point being thirty-three (33) feet northerly from and as measured along a line at right angles to the Base Line at about Sta. 228 + 20;

Thence southerly along the present westerly line of U.S. Route #1 about seventy-eight (78) feet to the point of beginning.

Emergency clause; effective date; referendum; certificate to Secretary of State. In view of the emergency cited in the preamble, this Act shall take effect when approved only for the purpose of permitting its submission

to the legal voters within the Town of Perry and the legal voters of the Town of Pembroke at separate elections called and held in the towns on or before June 1, 1988. These elections shall be called, held and conducted by the Secretary of State in the same manner as local option elections under Title 28-A are conducted in the towns, except that no petitions for the elections shall be required.

This Act shall take effect for all purposes immediately upon its acceptance by a majority of the legal voters of each town voting in its own election, provided that the number of votes cast for and against the acceptance of this Act in each election equals or exceeds 10% of the total number of qualified voters in the towns, respectively, that voted in the last gubernatorial election.

The result of the vote shall be declared by the Secretary of State and certificate thereof filed by him in his office.

Effective pending referendum.

CHAPTER 33

H.P. 1201 — L.D. 1638

AN ACT Relating to Terms of Office for Trustees of the Kennebec Water District.

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

Sec. 1. P&SL 1899, c. 200, §5, as amended by P&SL 1981, c. 41, §1, is repealed and the following enacted in its place:

Sec. 5. Trustees. All the affairs of the water district shall be managed by a board of trustees composed of 7 members. Two of the trustees shall be chosen by the municipal officers of Waterville, 2 by the municipal officers of Fairfield, 2 by the municipal officers of Winslow and one shall be appointed by the county commissioners of Kennebec County to fill a seat which alternates every 3 years between the residents of the Towns of Benton and Vassalboro. As soon as convenient after the members of the board have been chosen, the trustees shall hold a meeting at the city rooms in the City of Waterville and organize by the election of a president and clerk, adopt a corporate seal and, when necessary, may choose a treasurer and all other necessary officers and agents for the proper conduct and management of the affairs of the district. Whenever the term of office of a trustee expires, the body which appointed the trustee shall appoint a successor to serve a full term of 3 years; and, in case any other vacancy arises, it shall be filled in like manner for the unexpired term. The trustees may also ordain and establish such bylaws as necessary for their convenience and the proper management of the district's affairs. The trustees may procure an office and incur such expenses as may be necessary.

The trustees shall receive as compensation for their services \$20 for each meeting attended and reimbursement for travel and expenses up to a maximum of \$500 per year, unless changed in accordance with the Maine Revised Statutes, Title 35, chapter 262.

The term of office for trustees shall be 3 years, beginning on the first Monday in April as follows: The term of the trustee from the Towns of Benton or Vassalboro shall begin in April 1988, with a trustee from Vassalboro and continue with a trustee from Benton beginning in April 1991, continuing to alternate between the towns every 3 years thereafter; the terms of one trustee from Waterville, one from Fairfield and one from Winslow shall begin in April 1989, and every 3 years thereafter; and the terms of one trustee from Waterville, one from Fairfield and one from Winslow shall begin in April 1990, and every 3 years thereafter. No person may serve more than 2 full terms consecutively without a break in service before reappointment.

Sec. 2. Transition clause. The term of the trustee presently appointed by the county commissioners and scheduled to expire in 1988 is unchanged; the term of the trustee from Fairfield scheduled to expire in 1989 is unchanged; the term of the trustee from Winslow scheduled to expire in 1990 is unchanged; the term of the trustee from Winslow scheduled to expire in 1991 is changed to expire in 1989; the term of the trustee from Waterville scheduled to expire in 1992 is changed to expire in 1989; the term of the trustee from Fairfield scheduled to expire in 1993 is changed to expire in 1990; and the term of the trustee from Waterville scheduled to expire in 1994 is changed to expire in 1990.

Effective September 29, 1987.

CHAPTER 34

H.P. 952 — L.D. 1281

AN ACT to Extend the Boundaries of the Presque Isle Sewer District and the Presque Isle Water District.

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

Sec. 1. P&SL 1937, c. 80, §4, as amended by P&SL 1963, c. 67, is repealed and the following enacted in its place:

Sec. 4. Territorial limits; name; purposes. That part of the City of Presque Isle, and the inhabitants within the same, which is bounded and described as follows: Commencing at a granite monument, being the southeast corner of the Town of Mapleton and the northeast corner of the Town of Chapman; thence proceeding in a southerly direction along the east line of the Town of Chapman (also being the west line of the City of Presque Isle) to its intersection with a true east-west line said line