

# 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.

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Twin City Printery  
Lewiston, Maine  
1989

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**PRIVATE AND  
SPECIAL LAWS**

OF THE

**STATE OF MAINE**

AS PASSED AT THE  
SECOND REGULAR SESSION

of the

ONE HUNDRED AND THIRTEENTH LEGISLATURE

1987

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mencing closest to July 1, 1988, the salary schedule for excepted employees shall be adjusted by 3%. Effective at the beginning of the pay week commencing closest to January 1, 1989, this salary schedule shall again be adjusted by 3%.

**PART C**

**Sec. 1. Appropriation.** The following funds are appropriated from the General Fund to carry out the purposes of this Act.

	<u>1987-88</u>	<u>1988-89</u>
<u>FINANCE, DEPARTMENT OF</u>		
Salary Plan		
Personal Services	\$304,704	\$586,895

**Sec. 2. Carrying clause.** Any balances remaining from special accounts established by this Act shall not lapse, but shall be carried forward to June 30, 1989.

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

Effective March 14, 1988.

**CHAPTER 94**

S.P. 896 — L.D. 2325

**AN ACT Making an Amendment to the Charter of the Jackman Water District.**

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

P&SL 1971, c. 119, §6, 4th ¶, last sentence is amended to read:

The trustees, as such, shall receive as compensation for their services an amount to be determined by them not to exceed \$50 each per year as authorized by the municipal officers pursuant to the Maine Revised Statutes, Title 35-A, section 6303, subsection 4.

Effective August 4, 1988.

**CHAPTER 95**

S.P. 824 — L.D. 2146

**AN ACT to Amend the Charter of the Jackman Sewer District to Make the Provisions for Collection of Unpaid Rates Conform to the General Provisions for Collection of Unpaid Rates by Sanitary Districts.**

**Emergency preamble.** Whereas, Acts of the Legis-

lature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the existing provision of the Jackman Sewer District charter providing a lien for payment of rates contains certain unconstitutional provisions; and

Whereas, it is imperative that action be taken at the earliest possible moment to eliminate such conditions; 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:

P&SL 1969, c. 88, §17, as amended by PL 1985, c. 30, is repealed and the following enacted in its place:

Sec. 17. Lien for payment of rates. There shall be a lien to secure the payment of rates and other lawful charges established under section 16 of this Act and legally assessed on real estate served or benefited by the sewers of the district, which shall take precedence over all other claims on such real estate, excepting only claims for taxes.

The treasurer of the district shall have full and complete authority and power to collect the rates, tolls, rents and other charges established under section 16 and the same shall be committed to him. The treasurer may sue, after demand for payment, in the name of the district in a civil action for any rate, toll, rent or other charge remaining unpaid in any court of competent jurisdiction. In addition to other methods established by law for the collection of rates, tolls, rents and other charges, and without waiver of the right to sue for the same as aforesaid, the lien created in this section may be enforced in the following manner. The treasurer, when a rate, toll, rent or other charge has been committed to him for collection, may, after the expiration of 3 months and within one year after the date when the same became due and payable, give to the owner of the real estate served, or leave at his last and usual place of abode, or send by certified mail, return receipt requested, to his last known address, a notice in writing signed by the treasurer or bearing his facsimile signature, stating the amount of that rate, toll, rent or other charge, describing the real estate upon which the lien is claimed and stating that a lien is claimed on the real estate to secure the payment of the rate, toll, rent or other charge and demanding the payment of the rate, toll, rent or other charge within 30 days after service or mailing, with \$1 for the treasurer for mailing the notice, together with the certified mail, return receipt requested fee. The notice shall contain a statement that the district is willing to arrange installment payments of the outstanding debt. For the purpose of this section, a mobile home is defined as real

estate. After the expiration of the period of 30 days and within one year thereafter, the treasurer shall record in the registry of deeds of Somerset County a certificate signed by the treasurer setting forth the amount of such rate, toll, rent or other charge, describing the real estate on which the lien is claimed and stating that a lien is claimed on the real estate to secure payment of the rate, toll, rent or other charge and that a notice and demand for payment of the same has been given or made in accordance with this section and stating further that the rate, toll, rent or other charge remains unpaid. At the time of the recording of any such certificate in the registry of deeds as provided, the treasurer shall file in the office of the district a true copy of the certificate and shall mail a true copy by certified mail, return receipt requested, to each record holder of any mortgage on the real estate, addressed to the record holder at his last and usual place of abode. The fee to be charged by the district to the ratepayer for that notice and filing shall not exceed the amount authorized by the Maine Revised Statutes, Title 33, section 751, subsection 12, concerning district liens.

The filing of the certificate in the registry of deeds shall create a mortgage on the real estate therein described to the district which shall have priority over all other mortgages, liens, attachments and encumbrances of any nature, except liens, attachments and claims for taxes, and shall give to the district all the rights usually possessed by mortgagees, except that the district as mortgagee shall not have any right to possession of the real estate until the right of redemption provided for shall have expired. If the mortgage, together with interest and costs, has not been paid within 18 months after the date of filing of the certificate in the registry of deeds, as provided, the mortgage shall be deemed to have been foreclosed and the right of redemption to have expired. The filing of the certificate in the registry of deeds shall be sufficient notice of the existence of the mortgage provided for. In the event that the rate, toll, rent or other charge, with interest and costs, has been paid within the period of redemption provided for, the treasurer of the district shall discharge the mortgage in the same manner as provided for discharge of real estate mortgages.

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

Effective March 23, 1988.

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## CHAPTER 96

H.P. 1601 — L.D. 2192

**AN ACT Relative to the Union of the Trustees of the Maine Annual Conference of the United Methodist Church and the Trustees of the New Hampshire Annual Conference of the United Methodist Church.**

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

**Sec. 1. Union of conferences.** The Trustees of the Maine Annual Conference of the United Methodist Church, a corporation created by an Act of the Legislature of the State of Maine, and the Trustees of the New Hampshire Annual Conference of the United Methodist Church, a corporation created by an Act of the Legislature of the State of New Hampshire, shall be united and made one corporate body bearing the name "Trustees of the Northern New England Annual Conference of the United Methodist Church." The united trustees shall be incorporated under an Act of the Legislature of the State of New Hampshire.

**Sec. 2. Property.** The Trustees of the Northern New England Annual Conference of the United Methodist Church shall succeed to and hold all property and powers formerly vested in the Trustees of the Maine Annual Conference of the United Methodist Church and any other property or powers conferred to the trustees of the Northern New England Annual Conference of the United Methodist Church by any other jurisdiction.

**Sec. 3. Transfers.** Any gift, devise, bequest or other transfer of property of any kind made to the Maine Annual Conference of the United Methodist Church or the Trustees of the Maine Annual Conference of the United Methodist Church, at any time heretofore or hereafter shall be deemed, after the effective date of this Act, to have been made to the Trustees of the Northern New England Annual Conference of the United Methodist Church.

**Sec. 4. Local Maine churches.** Trustees of local churches in the State shall continue to become corporations automatically without further action on their part, pursuant to the Maine Revised Statutes, Title 13, section 2982.

**Sec. 5. Acceptance of union.** The corporations to be united shall continue their present organizations until the union shall have been accepted by each corporation at a meeting duly called and held for that purpose. If the union is accepted by both of the original corporations, a first meeting of the new corporation shall be held and at that meeting the organization of the new corporation shall be completed. When the new corporation is fully organized and has received all property of the original corporations, including all trust funds, the powers given the Trustees of the Maine Annual Conference of the United Methodist Church, by prior Acts of the Legislature of the State, shall thereupon cease.

**Sec. 6. Effective date.** Sections 1 to 5 of this Act shall take effect when the union is accepted by the 2 corporations, provided that, if the union is not accepted before September 1, 1993, this Act is repealed on September 1, 1993. Certification of the acceptance shall be made to the Secretary of State by an officer of the Trustees of the Northern New England Annual Confer-