

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
SECOND REGULAR SESSION

of the

ONE HUNDRED AND THIRTEENTH LEGISLATURE

1987

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.

The costs to be paid by the owner of the real estate served shall be the sum of the fees for receiving, recording and indexing the lien, or its discharge, as established by the Maine Revised Statutes, Title 33, section 751, subsection 12, plus \$13, plus all certified mail, return receipt requested, fees.

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

Effective March 30, 1988.

CHAPTER 102

H.P. 1604 — L.D. 2195

AN ACT to Amend the Law Allowing the Town of York to Repair Certain Private Roads.

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

Whereas, it is desired to begin repair of Old County Road during 1988; and

Whereas, for the Town of York to be authorized to repair such private roads, a petition concerning the road in question must be presented at the annual budget meeting; and

Whereas, this meeting is generally held in April; and

Whereas, the required authorization by the State Legislature for this repair will not take effect until after this town meeting unless passed on an emergency basis; 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 1985, c. 33, §1 is amended to read:

Sec. 1. Authorization. The Town of York is authorized to perform work on private roads within town approved subdivisions and on the road within the Town of York known as Old County Road, which runs south from Mt. Agamenticus Road, 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.

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

Effective April 1, 1988.

CHAPTER 103

H.P. 1777 — L.D. 2430

AN ACT to Fund and Implement a Collective Bargaining Agreement with Certain Vocational-Technical Institute System Employees Represented by the Maine Teachers Association.

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

Whereas, certain obligations and expenses incident to the operation of the Maine Vocational-Technical Institute System collective bargaining agreements will become due and payable immediately; and

Whereas, it is the responsibility of the Legislature to act upon those portions of tentative bargaining agreements negotiated by the Executive Department on behalf of the Maine Vocational-Technical Institute System employees which require legislative action; 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:

PART A

Sec. 1. Cost to the General Fund. There is appropriated in Part B funding sufficient when combined with other available funds to cover the costs to the General Fund in the amount of \$474,193 for the fiscal year ending June 30, 1988, and the amount of \$967,573 for the fiscal year ending June 30, 1989, to implement the economic terms of the collective bargaining agreements

agreed to by the Maine Vocational-Technical Institute System and the Maine Teachers Association for the vocational-technical institute faculty and administration bargaining units.

Sec. 2. Adjustment of salary schedule for fiscal year 1987-88. Effective at the beginning of the pay week commencing closest to July 1, 1987, the salary schedule for employees in the vocational-technical institute faculty and administrative bargaining units shall be adjusted by 4%, consistent with the terms of the collective bargaining agreements.

Sec. 3. Adjustment of salary schedule for fiscal year 1988-89. Effective at the beginning of the pay week commencing closest to July 1, 1988, the salary schedule for employees in the vocational-technical institute faculty and administrative bargaining units shall be adjusted by 4%, consistent with the terms of the collective bargaining agreements.

Sec. 4. New employees' similar and equitable treatment. Employees in classifications included in the vocational-technical institute faculty and administrative bargaining units, but who are excluded from collective bargaining pursuant to the Maine Revised Statutes, Title 26, section 1022, subsection 11, paragraph D, shall be given similar and equitable treatment on a pro rata basis to that given employees covered by the collective bargaining agreements.

PART B

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	(\$474,193)	(\$967,573)
<u>MAINE VOCATIONAL-TECHNICAL INSTITUTE SYSTEM</u>		
Board of Trustees		
All Other	\$474,193	\$967,573

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

Effective April 1, 1988.

CHAPTER 104

H.P. 1837 — L.D. 2514

AN ACT to Revise the Charter of the Brunswick Sewer District.

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

Whereas, the Brunswick Sewer District is a party to a consent decree, the other parties being this State and the Board of Environmental Protection, and the consent decree requires the Brunswick Sewer District to construct a secondary waste water treatment facility in compliance with the United States Clean Water Act; and

Whereas, the engineers' estimates of the Brunswick Sewer District's cost of a secondary waste water treatment plant exceeds its present authorized indebtedness; and

Whereas, the Brunswick Sewer District may not be able to complete its arrangements for financing the secondary waste water treatment unless its authorized indebtedness is increased; and

Whereas, the Brunswick Sewer District charter presently does not allow for the automatic creation of liens against real estate served or benefitted by the district to secure the payment of rates established and due under its charter; and

Whereas, automatic lien authority is granted by law to any sewer district formed under the Maine Revised Statutes, Title 38, chapter 11; and

Whereas, it is necessary for the benefit of the Brunswick Sewer District and its ratepayers that automatic lien authority be granted the Brunswick Sewer District; and

Whereas, the Brunswick Sewer District charter is unclear as to whether district revenues may be applied to defray the cost of capital projects and it is in the best interest of the district and its ratepayers to allow payment of certain capital costs with district revenues; and

Whereas, Private and Special Law 1981, chapter 103, repealed and replaced Private and Special Law 1947, chapter 77, as amended, incorporating the Brunswick Sewer District; and

Whereas, Private and Special Law 1981, chapter 103, contains an incorrect reference to chapter 77, and that reference has the potential of creating confusion; and

Whereas, these amendments have been proposed by the Brunswick Sewer District trustees to the town council following public hearing, and the town council has approved these amendments, all in accordance with section 51 of the charter; 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,