

# 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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**RESOLVES**

OF THE

**STATE OF MAINE**

AS PASSED AT THE  
FIRST REGULAR SESSION  
of the  
ONE HUNDRED AND THIRTEENTH LEGISLATURE  
1987

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|   |        |
|---|--------|
| Diocesan Human Relations Services, Inc.                               | 30,000 |
| YMCA Fair Harbor Shelter  | 4,000  |
| Southern Maine Senior Citizens — RSVP                                 | 6,500  |
| York County Health Services   | 25,000 |
| Waban Projects Inc.   | 20,500 |
| York County Counseling Services                                       | 50,000 |
| York County Community Action — Transportation                         | 32,000 |
| York County Community Action — Supplemental<br>Transportation Program | 8,000  |
| Caring Unlimited  | 5,000  |
| Creative Work Systems   | 11,000 |

|                        |         |
|------------------------|---------|
| 2075 — Capital Reserve |         |
| Contractual Services:  |         |
| Rainy Day Fund         | 100,000 |

The "Rainy Day Fund" is established as a separate fund to be invested with interest earnings to accrue to the principal. It shall be carried from year to year. The County Commissioners are authorized to expend from the fund on approval of the Legislature.

|                      |        |
|----------------------|--------|
| 2080 — Contingent    |        |
| Contractual Services | 50,000 |

|                                     |        |
|-------------------------------------|--------|
| 2090 — Capital Projects             |        |
| Capital Expenditures:               |        |
| Courthouse Septic System            | 55,000 |
| Courthouse Roofing                  | 45,000 |
| Courthouse Brick Work               | 7,500  |
| Courthouse Chimney Replacement      | 8,500  |
| Courthouse Electrical               | 27,000 |
| Jail HVAC System                    | 5,000  |
| County Parking Lot                  | 22,000 |
| Old Jail Heating System Replacement | 25,000 |

|                        |        |
|------------------------|--------|
| 2091 — Wage Adjustment |        |
| Personal Services      | 61,000 |

|                      |             |
|----------------------|-------------|
| Total Appropriations | \$4,093,004 |
|----------------------|-------------|

Available Credits:

|                         |             |
|-------------------------|-------------|
| Estimated Revenue       | \$1,145,715 |
| Transfer from Surplus   | 264,000     |
| Total Available Credits | 1,409,715   |

|                                 |             |
|---------------------------------|-------------|
| Amount to be raised by taxation | \$2,683,289 |
|---------------------------------|-------------|

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

Effective June 2, 1987.

**CHAPTER 24**

H.P. 1209 — L.D. 1650

**Resolve, to Create Dispersed Recreational Opportunities on Public Lands at Pineland.**

**Recreation lands. Resolved:** That certain State-owned lands formerly associated with the Pineland Center and now under the management authority of the Bureau of Public Lands be dedicated and managed as multiple use lands consistent with the Maine Revised Statutes, Title 30, section 4162; and be it further

**Development. Resolved:** That the Department of Conservation, through the Bureau of Public Lands, shall work cooperatively with local interest groups to devise the recreation plan for these lands which are to be managed to provide low-intensity outdoor recreational opportunities.

Effective September 29, 1987.

**CHAPTER 25**

S.P. 489 — L.D. 1471

**Resolve, Authorizing the Director of Parks and Recreation to Convey by Deed the Interest of the State in Certain Parcels of Real Property.**

**Director of Parks and Recreation; property conveyed by quitclaim deed. Resolved:** That the Director of Parks and Recreation may convey by quitclaim deed and for no monetary consideration the following properties:

1. To the inhabitants of the Town of Woodstock, a parcel containing 1.1 acres, more or less, known as the Bryant Pond Boat Access Site, as acquired from Lakesites, Inc., by deed, dated March 28, 1972, and recorded at the Oxford County Registry of Deeds in Book 738, Page 249; and

2. To the inhabitants of the Town of Washington, a parcel containing 0.6 acres, more or less, known as the Washington Pond Boat Access Site, as acquired from Richard Arnold Lincoln, by deed, dated October 9, 1974, and recorded at the Knox County Registry of Deeds in Book 586, Page 21; and be it further

**Reversion to State. Resolved:** That title and ownership of the properties conveyed to the inhabitants of the Town of Woodstock and Town of Washington, as provided in this resolve, shall be retained, operated, maintained and used for public outdoor recreational purposes, including public boat access and shall revert to the State in the event that these conditions are not met.

The conveyances shall be on such terms and conditions and for each consideration as the director may direct.

Effective September 29, 1987.

**CHAPTER 26**

H.P. 1112 — L.D. 1506

**Resolve, Authorizing the State Tax Assessor to Convey the Interest of the State in Certain Real Estate in the Unorganized Territory.**

**State Tax Assessor authorized to convey real estate. Resolved:** That the State Tax Assessor is authorized to convey by sale the interest of the State in real estate in unorganized territory as noted in this resolve. The sale, except as otherwise directed in this resolve, shall be made to the highest bidder; provided:

1. That notice of the sale be published 3 times prior to the sale, once each week for 3 consecutive weeks in some newspaper in the county where the real estate lies, except in those cases in which the sale is to be made to a specific individual or individuals as authorized in this resolve, in which case no notice may be published; and

2. That no parcel may be sold for less than the amount as authorized in this resolve. In the event of identical high bids, that bid postmarked earliest shall be considered the highest bid.

In the event bids in the minimum amount, as recommended in this resolve, are not received after the notice, the State Tax Assessor may thereafter sell the property for not less than the minimum amount, without again asking for bids, provided that the property is sold on or before March 1, 1988.

The State Tax Assessor, upon receipt of payment as specified in this resolve, shall record the deed in the appropriate registry at no additional charge to the purchaser, before sending the deed to the purchaser.

Abbreviations, plan and lot references are identified in the 1986 state valuation.

Wyman Township, Franklin County

Map FR004, Plan 03, Lot 38 (078280022)

Albert L. Casey ..... 0.22 Acres

TAX LIABILITY

|                             |             |
|-----------------------------|-------------|
| 1984 .....                  | \$ 7.63     |
| 1985 .....                  | 9.37        |
| 1986 .....                  | 8.84        |
| 1987 (estimated) .....      | 8.84        |
| Estimated Total Taxes ..... | \$34.68     |
| Interest .....              | 1.98        |
| Costs .....                 | 10.00       |
| Deed .....                  | <u>6.00</u> |
| Total .....                 | \$52.66     |

Recommendation: Sell to Albert L. Casey for \$52.66. If he does not pay this amount within 60 days of the effective date of the resolve, sell to the highest bidder for not less than \$60.

Wyman Township, Franklin County

Map FR004, Plan 03, Lot 47 (078280023)

Albert L. Casey ..... 0.14 Acres

TAX LIABILITY

|                             |             |
|-----------------------------|-------------|
| 1984 .....                  | \$ 6.68     |
| 1985 .....                  | 8.20        |
| 1986 .....                  | 7.74        |
| 1987 (estimated) .....      | 7.74        |
| Estimated Total Taxes ..... | \$30.36     |
| Interest .....              | 1.74        |
| Costs .....                 | 10.00       |
| Deed .....                  | <u>6.00</u> |
| Total .....                 | \$48.10     |

Recommendation: Sell to Albert L. Casey for \$48.10. If he does not pay this amount within 60 days of the effective date of the resolve, sell to the highest bidder for not less than \$50.

Wyman Township, Franklin County

Map FR004, Plan 03, Lot 64 (078280036)

Albert L. Casey ..... 0.13 Ac. w/Bldg.

TAX LIABILITY

|                             |             |
|-----------------------------|-------------|
| 1984 .....                  | \$37.84     |
| 1985 .....                  | 46.49       |
| 1986 .....                  | 57.29       |
| 1987 (estimated) .....      | 57.29       |
| Estimated Total Taxes ..... | \$198.91    |
| Interest .....              | 9.86        |
| Costs .....                 | 10.00       |
| Deed .....                  | <u>6.00</u> |
| Total .....                 | \$224.77    |

Recommendation: Sell to Albert L. Casey for \$224.77. If he does not pay this amount within 60 days of the effective date of the resolve, sell to the highest bidder for not less than \$230.

Albany Township, Oxford County

Map OX 16, Plan 02, Lot 16 (178020091)

Albert L. Casey ..... 0.11 Acres

TAX LIABILITY

|            |         |
|------------|---------|
| 1984 ..... | \$ 2.97 |
|------------|---------|

|                             |         |
|-----------------------------|---------|
| 1985 .....                  | 4.40    |
| 1986 .....                  | 2.95    |
| 1987 (estimated) .....      | 2.95    |
| Estimated Total Taxes ..... | \$13.27 |
| Interest .....              | .81     |
| Costs .....                 | 10.00   |
| Deed .....                  | 6.00    |

Total ..... \$30.08

Recommendation: Sell to Albert L. Casey for \$30.08. If he does not pay this amount within 60 days of the effective date of the resolve, sell to the highest bidder for not less than \$40.

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Concord Township, Somerset County

Map S0081, Plan 02, Lot 44 (258180189)

Joseph M. Dhembe ..... 11.00 Acres

TAX LIABILITY

|                             |         |
|-----------------------------|---------|
| 1984 .....                  | \$15.46 |
| 1985 .....                  | 18.41   |
| 1986 .....                  | 16.84   |
| 1987 (estimated) .....      | 16.84   |
| Estimated Total Taxes ..... | \$67.55 |
| Interest .....              | 3.98    |
| Costs .....                 | 10.00   |
| Deed .....                  | 6.00    |

Total ..... \$87.53

Recommendation: Sell to Mary Ellen Russell, last known owner of record, for \$87.53. If she does not pay this amount within 60 days of the effective date of the resolve, sell to the highest bidder for not less than \$90.

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T5, R7, WELS, Penobscot County

Map Pe 017, Plan 02, Lot 10 (198270042)

Heirs of Jane Leslie ..... 0.50 Acres

TAX LIABILITY

|                             |         |
|-----------------------------|---------|
| 1984 .....                  | \$11.10 |
| 1985 .....                  | 16.76   |
| 1986 .....                  | 17.32   |
| 1987 (estimated) .....      | 17.32   |
| Estimated Total Taxes ..... | \$62.50 |
| Interest .....              | 3.07    |
| Costs .....                 | 10.00   |
| Deed .....                  | 6.00    |

Total ..... \$81.57

Recommendation: Sell to Helen Casey, granddaughter of Jane Leslie, for \$81.57. If she does not pay this amount within 60 days of the effective date of the resolve, sell to the highest bidder for not less than \$90.

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T8, S.D., Hancock County

Map HA004, Plan 02, Lot 101 (098040104)

Edward J. Neminski ..... 0.33 Acres

TAX LIABILITY

|                             |         |
|-----------------------------|---------|
| 1984 .....                  | \$ 4.98 |
| 1985 .....                  | 5.69    |
| 1986 .....                  | 5.47    |
| 1987 (estimated) .....      | 5.47    |
| Estimated Total Taxes ..... | \$21.61 |
| Interest .....              | 1.26    |
| Costs .....                 | 10.00   |
| Deed .....                  | 6.00    |

Total ..... \$38.87

Recommendation: Sell to Edward J. Neminski for \$38.87. If he does not pay this amount within 60 days of the effective date of the resolve, sell to the highest bidder for not less than \$40.

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T8, S.D., Hancock County

Map HA004, Plan 02, Lot 85 (098040105)

Joseph R. Neminski ..... 0.31 Acres

TAX LIABILITY

|                             |         |
|-----------------------------|---------|
| 1984 .....                  | \$ 4.65 |
| 1985 .....                  | 5.30    |
| 1986 .....                  | 5.10    |
| 1987 (estimated) .....      | 5.10    |
| Estimated Total Taxes ..... | \$20.15 |
| Interest .....              | 1.17    |
| Costs .....                 | 10.00   |
| Deed .....                  | 6.00    |

Total ..... \$37.32

Recommendation: Sell to Joseph R. Neminski for \$37.32. If he does not pay this amount within 60 days of the effective date of the resolve, sell to the highest bidder for not less than \$40.

T8, S.D., Hancock County

Map HA004, Plan 03, Lot 40 (098040106)

Joseph R. Neminski ..... 1.41 Acres

TAX LIABILITY

|                             |             |
|-----------------------------|-------------|
| 1984 .....                  | \$42.00     |
| 1985 .....                  | 47.93       |
| 1986 .....                  | 46.13       |
| 1987 (estimated) .....      | 46.13       |
| Estimated Total Taxes ..... | \$182.19    |
| Interest .....              | 10.74       |
| Costs .....                 | 10.00       |
| Deed .....                  | <u>6.00</u> |
| Total .....                 | \$208.93    |

Recommendation: Sell to Joseph R. Neminski for \$208.93. If he does not pay this amount within 60 days of the effective date of the resolve, sell to the highest bidder for not less than \$210.

T8, S.D., Hancock County

Map HA004, Plan 03, Lot 41 (098040107)

Joseph R. Neminski ..... 0.28 Acres

TAX LIABILITY

|                             |             |
|-----------------------------|-------------|
| 1984 .....                  | \$15.40     |
| 1985 .....                  | 17.57       |
| 1986 .....                  | 16.91       |
| 1987 (estimated) .....      | 16.91       |
| Estimated Total Taxes ..... | \$66.79     |
| Interest .....              | 3.93        |
| Costs .....                 | 10.00       |
| Deed .....                  | <u>6.00</u> |
| Total .....                 | \$86.72     |

Recommendation: Sell to Joseph R. Neminski for \$86.72. If he does not pay this amount within 60 days of the effective date of the resolve, sell to the highest bidder for not less than \$90.

Effective September 29, 1987.

CHAPTER 27

H.P. 1229 — L.D. 1678

Resolve, for the Public Utilities Commission to Study the Allocation of Water Supply Rights.

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

Whereas, a study of water supply allocation is needed for consideration by the Second Regular Session of the 113th Legislature; and

Whereas, in order to report by December 1, 1987, the Public Utilities Commission must begin its work promptly; 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

**Findings. Resolved:** That the Legislature finds that there is competition and uncertainty surrounding the allocation of water resources among water utilities and others within the State. Water is essential for drinking water supplies, residential, agricultural, industrial and recreational use and many other purposes. Although water is generally abundant in the State, it is not unlimited and is in short supply in some areas. There has been much attention paid over the last 20 years to preservation of water quality. It is time to begin addressing the issues of water quantity, as the arid states have had to do years ago; and be it further

**Study and report. Resolved:** That the Public Utilities Commission shall conduct a study of water supply and allocation and report to the Governor and the Legislature with its findings and recommendations, including legislative recommendations, if any, by December 1, 1987. The commission shall consider the various issues of water rights under statutory and common law, including, for example, whether there should be limits placed on such activities as export of water from one watershed to another, export of water out of the State, use of water from ponds of less than 10 acres and of ground water on and off the user's land. It shall consider whether municipalities have any interest in water which is within their borders, but not related to municipally owned land. The study shall also review water conservation practices to identify available techniques and survey their application. The commission shall consider whether, in case of scarce supply and competing uses, there should be a standard order of priorities that might be applied. The commission shall give particular attention to the need for water utilities to have access to adequate water supplies to meet the needs of a growing population and economy; and be it further

**Assistance of other agencies and parties. Resolved:** That assistance shall be provided to the Public Utilities Commission by the Department of Human Services, the State Planning Office, the Department of Environmental Protection, the Department of Agriculture, Food and Rural Resources and the Attorney General. The commission shall also solicit the views and assistance of other