

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

RESOLVES

OF THE

STATE OF MAINE

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

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

parties; and be it further

Review by joint standing committee. Resolved: That the Joint Standing Committee on Utilities shall review the report of the Public Utilities Commission and, based on that review, may introduce legislation dealing with water supply or allocation to the Second Regular Session of the 113th Legislature.

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

Effective June 12, 1987.

CHAPTER 28

H.P. 1265 — L.D. 1731

Resolve, Authorizing the Director of Public Improvements to Resolve an Encroachment on State Property in Hallowell.

Director of Public Improvements authorized to sell. Resolved: That the Director of Public Improvements is authorized to sell at appraised value to Gerard P. and Angela G. Bilodeau the following property:

Boundary Description — State of Maine to Bilodeau Pleasant Street Place, Hallowell, Maine

A certain lot or parcel of land situated on the northeasterly side of Pleasant Street Place, so-called, in the City of Hallowell, Kennebec County, State of Maine, and being bounded and described as follows:

Beginning on the northeasterly right-of-way line of said Pleasant Street Place at the westerly corner of land of said Gerard P. and Angela G. Bilodeau, reference deed recorded in Kennebec County Registry of Deeds in Book 2587, Page 160; thence N 26° 27' 58" E along the northwesterly line of land of said Bilodeau a distance of 173.12 feet to a capped 3/4-inch iron rod set and other land of State of Maine, reference deeds recorded in said Registry of Deeds in Book 668, Page 205 and Book 50, Pages 364 and 365; thence S 31° 00' 14" W along land to be retained by said State of Maine, reference deed recorded in said Registry of Deeds in Book 288, Page 308, a distance of 172.13 feet to a capped 3/4-inch iron rod set; thence S 57° 09' 43" E along land to be retained by said State of Maine and along the northeasterly right-of-way line of said Pleasant Street Place a distance of 13.70 feet to the point of beginning, contained 1,179 square feet, more or less.

Being a portion of the premises described in a deed of Almira C. Dummer to the Maine Industrial School for Girls, dated March 25, 1874, recorded in Kennebec County Registry of Deeds in Book 288, Page 308.

Effective September 29, 1987.

CHAPTER 29

H.P. 836 — L.D. 1127

Resolve, Authorizing the Commissioner of Marine Resources to Convey an Easement over Certain State Land.

Commissioner of Marine Resources; authorized to convey an easement over certain state lands. Resolved: That the Commissioner of Marine Resources is authorized to grant to Gwendolyn M. Baldwin such easements as may be mutually agreeable, subject to the terms in this resolve, for the purpose of providing location for an outfall pipe from a licensed overboard discharge system across state-owned land at McKown Point, Boothbay Harbor, which land is described in a deed recorded at the Lincoln County Registry of Deeds, Book 973, Page 43, hereinafter referred to as "deed;" and be it further

Location of easement. Resolved: That the easement shall be restricted to the actual location of the outfall pipe across state-owned land at McKown Point. The Commissioner of Marine Resources shall require a survey to be conducted at the cost of Gwendolyn M. Baldwin, and the metes and bounds describing the location of the pipe shall be established in the easement between the State and Gwendolyn M. Baldwin; and be it further

Termination of easement. Resolved: That the easement authorized by this resolve shall become null and void in the event that the outflow pipe fails to qualify for or obtain any licenses, permits or certification required by law or there is a change in use of the property for which the easement in this resolve is being provided, that use being single family residential; and be it further

Contingent upon United States approval. Resolved: That this authorization for conveyance of an easement shall be contingent upon the written approval of the United States Department of Education, successor in function to the original grantor of the property, the United States Department of Health, Education and Welfare, as required by condition 2 of the deed.

Effective September 29, 1987.

CHAPTER 30

H.P. 1269 — L.D. 1733

Resolve, for Laying of the County Taxes and Authorizing Expenditures of Androscoggin County for the Year 1987.

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