

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

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
SECOND REGULAR SESSION
of the
ONE HUNDRED AND THIRTEENTH LEGISLATURE
1987

1020 — County Commissioners	
Personal Services	34,402
Contractual Services	6,570
Commodities	1,050
Capital Expenditures	6,000
1025 — County Treasurer	
Personal Services	27,755
Contractual Services	4,590
Commodities	1,280
Capital Expenditures	800
1040 — Court House — Maintenance	
Personal Services	45,682
Contractual Services	39,825
Commodities	24,100
Capital Expenditures	11,435
1050 — Jail — Support of Prisoners	
Personal Services	662,624
Contractual Services	152,750
Commodities	113,200
Capital Expenditures	47,500
1065 — Register of Deeds	
Personal Services	111,865
Contractual Services	105,435
Commodities	11,650
1070 — Register of Probate	
Personal Services	97,001
Contractual Services	30,300
Commodities	8,700
Capital Expenditures	800
1075 — Sheriff	
Personal Services	326,551
Contractual Services	81,700
Commodities	16,800
Capital Expenditures	64,200
1090 — Auditing	
Contractual Services	2,000
2000 — Interest	
Contractual Services:	
Tax Anticipation Notes	45,000
2005 — Extension Service	
Contractual Services	50,000
2025 — Employee Benefits	
Contractual Services:	
Maine State Retirement System	48,500
Social Security	112,010
Blue Cross and Blue Shield	94,250
Unemployment Compensation	12,000
Workers' Compensation	118,899
2035 — Soil Conservation	
Contractual Services	11,200
2040 — County Copier	
Contractual Services	3,600
2045 — Program Grants	
Contractual Services:	
Mental Health Agency	80,000
Kennebec Regional Health	29,000
Central Maine Area Aging	21,000
Diocesan Human Relations —	
Homemaker Services	27,000
Day Care	4,000
Southern Kennebec Child Development	5,000
Kennebec Valley YMCA	5,000

2050 — Insurance	
Contractual Services	95,638
2055 — County Dues	
Contractual Services	380
2075 — Capital Reserves	
Contractual Services:	
Jail Improvement Fund	110,000
Improvement to County Property — Accessibility	21,500
2080 — Contingent	
Contractual Services	50,000
2090 — Miscellaneous	
Ambulance Services	2,000
Total Appropriations	<u>\$3,316,839</u>

; and be it further

Sec. 3. Summary. Resolved: That the figures appearing in this resolve represent the total amount of taxes and the total specific expenditures authorized for the calendar year 1988. The following is a summary of revenue and appropriations:

Total Appropriations		\$3,316,839
Available Credits:		
Estimated Revenue	\$623,600	
Federal Revenue Sharing	1,852	
Transfer from Surplus	<u>175,000</u>	
Total Available Credits		800,452
Amount to be raised by taxation		<u>\$2,516,387</u>

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

Effective April 20, 1988.

CHAPTER 103

H.P. 1936 — L.D. 2636

RESOLVE, for Laying of the County Taxes and Authorizing Expenditures of Androscoggin County for the Year 1988.

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

Whereas, Androscoggin County has certain expenses and liabilities which must be met as they become due; and

Whereas, it is necessary that the taxes for the year 1988 hereinafter mentioned be immediately assessed in order to provide the required revenue for the county; 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

Sec. 1. Androscoggin County; taxes apportioned. Resolved: That the following sum is granted as a tax on Androscoggin County to be apportioned, assessed, collected and applied to the purposes of paying debts and necessary expenses of the county as authorized herein, and for other purposes of law, for the calendar year 1988:

1988 TAX
\$1,763,132

; and be it further

Sec. 2. General Fund expenditures authorized. Resolved: That the following sums, based on the county budget filed in the office of the Secretary of State, are authorized as General Fund expenditures by the county during the calendar year 1988, in the specific total amounts of expenditures for personal services, contractual services, commodities and capital expenditures for each account in the county budget:

<u>APPROPRIATION ACCOUNT NUMBER</u>	<u>APPROPRIATIONS</u>
1005 — Superior Court Contractual Services	\$64,511
1010 — Civil Emergency Preparedness Personal Services Contractual Services Commodities Capital Expenditures	63,646 7,450 1,500 2,000
1015 — District Attorney Personal Services Contractual Services Commodities Joint Budget Capital Expenditures	115,678 17,976 6,000 6,000 300
1020 — County Commissioners Personal Services Contractual Services Commodities	37,325 24,050 900
1025 — County Treasurer Personal Services Contractual Services Commodities Capital Expenditures	59,622 4,621 900 200
1040 — Building Personal Services Contractual Services Commodities Capital Expenditures	55,550 142,420 26,300 1,000
1050 — Jail — Support of Prisoners Personal Services Contractual Services Commodities Capital Expenditures	446,506 118,500 79,800 111,470
1051 — Androscoggin Bail Project Contractual Services	25,000
1065 — Register of Deeds Personal Services	88,838

Contractual Services	78,587
Commodities	3,250
Capital Expenditures	7,100
1070 — Register of Probate Personal Services Contractual Services Commodities	58,903 11,650 875
1075 — Sheriff Personal Services Contractual Services Commodities Capital Expenditures	288,292 68,940 13,910 2,722
1090 — Auditing Contractual Services	6,000
1095 — Debt Service Principal Interest	45,000 22,000
2000 — Interest Contractual Services: Tax Anticipation Notes Other	85,000 3,000
2005 — Extension Service Contractual Services	46,952
2025 — Employee Benefits Contractual Services: Maine State Retirement Blue Cross and Blue Shield Social Security Unemployment Compensation	148,000 74,000 82,500 9,000
2035 — Soil Conservation Contractual Services	7,400
2040 — Copiers Contractual Services Commodities	2,700 2,400
2050 — Volunteer Firefighters Insurance Contractual Services	1,500
2080 — Contingent Account Contractual Services	25,000
2081 — Contingent Account — Jail Improvement and Collective Bargaining — Sheriff's Employees Contractual Services	182,000
Transfers from the contingent account for jail improvements shall only be made with the approval of the legislative delegation of the county.	
TOTAL GENERAL FUND	\$2,784,744

; and be it further

Sec. 3. Summary. Resolved: That the figures appearing in this resolve represent the total amount of taxes and the total specific expenditures authorized for the calendar year 1988. The following is a summary of revenues and appropriations:

Total Appropriations	\$2,784,744
Available Credits:	
Estimated Revenue	\$621,812
Transfer from Surplus	200,000

Transfer from Capital Reserve — Bridges	50,000
Transfer from Community Corrections Funds	149,800
Total Available Credits	1,021,612
Amount to be raised by taxation	\$1,763,132

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

Effective April 20, 1988.

CHAPTER 104

S.P. 996 — L.D. 2632

RESOLVE, Authorizing Exchange of Certain Public Reserved Land.

Director of the Bureau of Public Lands authorized to consummate the exchange of certain Public Reserved Lands. **Resolved:** That the Director of the Bureau of Public Lands is authorized to consummate the exchange of certain Public Reserved Land contemplated by the agreement dated April 1, 1988, between the State of Maine and Prentiss and Carlisle Company, Inc., upon terms and conditions set forth in the agreement, including the exhibits and addenda thereto, the agreement being attached hereto and incorporated herein for all purposes. Any and all land acquired by the State under this authority shall be for all purposes, Public Reserved Land of the State. Notwithstanding any provisions of the attached agreement, the State shall not convey any land or interest therein which comprises a public road or great pond.

AGREEMENT

This Agreement is made this 1st day of April, 1988, by and between the State of Maine, in its sovereign capacity, in its sovereign capacity as trustee of the public lands of the State of Maine, and in its sovereign capacity on behalf of all municipalities and other subdivisions of the State of Maine, acting through its Commissioner of Conservation and its Director of the Bureau of Public Lands, hereinafter referred to as the "State," and Prentiss & Carlisle Company, Inc., a Maine corporation with a place of business at 107 Court Street in Bangor, Penobscot County, Maine, hereinafter referred to as "P & C."

For good and valuable consideration for which receipt is acknowledged by each party, the parties hereto agree as follows:

1. P & C agrees to (a) exchange with the State all of its right, title and interest in the property located in Township 9 SD which is shown in blue on a survey of Donnell Pond, Patten Auction and Land Corporation, dated July 15, 1987, by Herrick & Salsbury, Inc., Land Sur-

veyors, Ellsworth, Maine, a copy of which is attached hereto as Exhibit A attached hereto and incorporated herein and in Township 12 Range 13 W.E.L.S. (hereinafter sometimes collectively referred to as the "Property") and (b) pay to the State the sum of Two Hundred Thousand Dollars (\$200,000).

It is expressly understood and agreed that approximately 343.6 acres located in the northwest portion of P & C's ownership in Township 9 SD, which acreage is shown in yellow on the aforesaid survey attached hereto as Exhibit A, which acreage is excluded from the lands to be exchanged with the State.

At the time of the closing of the exchange with the State, P & C shall grant to the State of Maine, Bureau of Public Lands, a conservation easement, the terms of which shall be mutually acceptable to the parties, burdening the 343.6 +/- acres (hereinafter the "protected property"). This easement shall include conditions and restrictions limiting the subdivision of the protected property to no more than eight lots and providing for other limitations on use, permitted structures, surface alterations, clearing and timber harvesting, as well as provisions for enforcement of the conservation easement by the easement holder.

The conservation easement shall include the essence of the following points as mutually agreed among the parties:

- a. The protected property shall not be subdivided into more than eight (8) lots;
- b. All permitted structures shall be set back at least 150 feet from the shore and the height of any permitted structure shall not exceed 35 feet;
- c. That the development or use of the protected property shall be reasonably compatible with the natural and scenic features of the area;
- d. No commercial uses shall be permitted which have exterior manifestations which materially affect the purposes of the conservation easement;
- e. That no structures may be allowed within that area on Norway Point which is south of the line shown on the map which is attached as Exhibit D hereto and hereby incorporated herewith;
- f. That the conservation easement shall prohibit dredging, mining, drilling or removal of gravel or minerals;
- g. That the conservation easement shall contain limitations on timber harvesting and the removal of vegetation within 500 feet of the shore.

The conservation easement shall specifically provide that it shall burden the protected property, subject to termination if that portion of the property (located in