

MAINE STATE LEGISLATURE

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LAWS

OF THE

STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND FOURTEENTH LEGISLATURE

FIRST REGULAR SESSION

December 7, 1988 to July 1, 1989

THE GENERAL EFFECTIVE DATE FOR
NON-EMERGENCY LAWS IS
SEPTEMBER 30, 1989

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

J.S. McCarthy Company
Augusta, Maine
1989

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE

AS PASSED AT THE

FIRST REGULAR SESSION

of the

ONE HUNDRED AND FOURTEENTH LEGISLATURE

1989

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

Validation; Town of China meeting and referendum. Notwithstanding the Maine Revised Statutes, Title 30, sections 2052 and 2061, and Title 21-A, chapter 9, subchapter IV, and any other relevant provisions of the Maine Revised Statutes, and notwithstanding any other legal issues which may be raised relating to the town meeting and school construction referendum conducted in the Town of China on October 29, 1988, that town meeting and school construction referendum are hereby validated and approved and a majority of the municipal officers and the treasurer of the Town of China are authorized to issue bonds or notes in the name of the Town of China pursuant to the Maine Revised Statutes, Title 30-A, section 5772 for school construction purposes in an amount not to exceed \$3,313,000 to construct and equip a new kindergarten through grade 3 elementary school in the Town of China. Such bonds or notes of the Town of China when issued in accordance with the provisions of the Maine Revised Statutes, Title 30-A, section 5772 shall be the duly authorized, legal and binding obligations of the Town of China.

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

Effective March 30, 1989.

CHAPTER 6

S.P. 359 - L.D. 960

An Act Concerning Certain Municipal Boundaries

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

Whereas, the Town of Millinocket is without adequate land for development; and

Whereas, the Town of Millinocket may wish in the future to diversify its economy due to changes in the pulp and paper industry; and

Whereas, lack of adequate land may hinder efforts to diversify Millinocket's economy; 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:

Sec. 1. P&SL 1987, c. 153, §1 is repealed and the following enacted in its place:

Sec. 1. Parts of Indian Purchase No. 3 Township A, Range 7 and Township 1, Range 7; Annexation to Millinocket. The following lots or parcels of land bounded and described as follows and situated adjacent to the Town of Millinocket in Penobscot County are annexed to the Town of Millinocket:

A. Beginning at a point on the west town line of Township A, Range 7 WELS, said point being located in the center or thread of the West Branch of the Penobscot River, in the channel lying east of Pond Falls Island and also being the southeast corner of the Town of Millinocket; thence northerly by and along the east line of the Town of Millinocket which is also the west line of Township A, Range 7 WELS a distance of 7/8 of a mile more or less to a pin and post at the southwest corner of the parcel annexed to the Town of Millinocket in 1985; thence south 77° 49' 46" east, by and along the south line of said 1985 annexation parcel to the southeast corner thereof a distance of 1,196.12 feet, more or less, to a point marked by a steel pin and post; thence north 5° 04' east, by and along the east bound of the 1985 annexation parcel, a distance of 4,291.33 feet, more or less, to the south bound of Route 157, thence northwesterly by and along the south bound of Route 157 a distance of 1,188.00 feet, more or less, to a point in the east line of Millinocket; thence northerly by and along the east line across Route 157, to the north bound thereof; thence south 69° 14' 24" east by and along said north bound of Route 157 a distance of 1,535.00 feet, more or less, to a point which is the southeast corner of Lot #2, as annexed in the First Regular Session of the Legislature, Private and Special Law 1985, chapter 19, thence northerly, by and along the east line of said Lot #2, a distance of 5,110.00 feet, more or less, to the north line of Township A, Range 7 WELS; thence easterly by and along the north line of Township A, Range 7 WELS a distance of 2 1/2 miles, more or less, to a point in the center or thread of Dolby Pond or Flowage; thence southerly by and along the center or thread of Dolby Pond or Flowage, a distance of 1 3/4 miles, more or less, to a point in the center or thread of the West Branch of the Penobscot River, thence westerly by and along the center or thread of the West Branch of the Penobscot River, a distance of 3 miles, more or less, to a point in the east line of the Town of Millinocket, and the point of beginning. Said parcel contains 3,176 acres, more or less.

B. Beginning at the southwest corner of Section number 33, which is also the southwest corner of Township 1, Range 7; thence northerly by and along the west line of Township 1, Range 7, which is also the present east town line of Millinocket, to the south bound of the main line of the Bangor and Aroostook Railroad between Millinocket and Grindstone; thence easterly by and along said south bound of the main line of the Bangor and Aroostook Railroad a distance of 13,675 feet, more or less, to the center or thread of a small brook, flowing into upper Dolby Pond; thence southeasterly by center or thread of

said brook to Dolby Pond and continuing into the pond a total distance of 1,600 feet, more or less, to a point in Dolby Pond; thence easterly 1,900 feet, more or less, to a point in Dolby Pond; thence southerly by and along the center or thread of said Dolby Pond or Flowage a distance of approximately one mile to a point on the south line of Township 1, Range 7, WELS; thence westerly by and along said south town line a distance of 2 3/4 miles, more or less, to the southwest corner, and the place of beginning. The above described parcel contains 996 acres, more or less.

Sec. 2. P&SL 1987, c. 153, §§2 and 3 are enacted to read:

Sec. 2. Tax Revenue. The State of Maine shall be entitled to all personal and real estate taxes from the annexed area through June 30, 1989. The Town of Millinocket shall be entitled to all personal and real estate taxes from July 1, 1989, to December 31, 1989, and shall tax owners of property in the area described in section 1 as of April 1, 1989. The Town of Millinocket shall tax property owners in the annexed area at 1/2 of its 1989 mill rate for the period of July 1, 1989, to December 31, 1989. The Town of Millinocket may accept the state valuation of each parcel as of April 1, 1989, for the tax period July 1, 1989, to December 31, 1989.

Sec. 3. Transfer of tax information. The Bureau of Taxation shall transfer to the Town of Millinocket before May 1, 1989, the following:

- A. A list of property owners and addresses for the annexed area;
- B. Copies of tax maps showing parcels of land owned by each property owner in the annexed area;
- C. A valuation of each parcel of land in the annexed area as of April 1, 1989; and
- D. Any proposed adjustments to the valuation in the annexed area as of the date of transfer of the valuation information.

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

Effective March 30, 1989.

CHAPTER 7

S.P. 377 - L.D. 1000

An Act Authorizing Washington County to Refinance Certain Bonds Issued to the United States of America Acting through the Farmers Home Administration

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

Whereas, Washington County has an opportunity for a very limited time through the Maine Municipal Bond Bank to refinance its \$2,450,000 general obligation bonds issued to the United States of America by utilizing the 1989 discount purchase program sponsored by the Farmers Home Administration; 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:

Sec. 1. Authority to issue and sell bonds. Notwithstanding the Maine Revised Statutes, Title 30-A, sections 122 and 934, or any other provision of law, the Washington County commissioners, without obtaining the consent of the voters of the county, may issue and sell to the Maine Municipal Bond Bank the general obligation bonds or notes of Washington County for the purpose of refinancing certain general obligation bonds issued and dated April 14, 1988, in the aggregate principal amount of \$2,450,000, which bonds were issued to the United States acting through the Farmers Home Administration for the purpose of financing capital improvements to the Washington County Jail. These refunding bonds shall be payable over a term not to exceed the term remaining on the bonds and shall be signed by the Treasurer of Washington County and countersigned by the chair of the county commissioners. The county may sell the refunding bonds to the Maine Municipal Bond Bank upon such terms and conditions as the county commissioners and the Maine Municipal Bond Bank may approve.

Sec. 2. No referendum required. The authority to issue these refunding bonds shall become valid and effective without being submitted to the voters of Washington County.

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

Effective March 30, 1989.
