

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

CHAPTER 9**H.P. 320 - L.D. 436****An Act to Provide for a Carry-over of Funds Appropriated for the Study of Alternative Dispute Resolution in the Superior Court to June 30, 1990**

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

Whereas, the 90-day period may not terminate until after the beginning of the next fiscal year; and

Whereas, the Legislature authorized the Judicial Council to conduct a study of alternative dispute resolution in the Superior Court and to submit a final report to the Legislature by July 1, 1990; and

Whereas, funding appropriated to the Judicial Council to conduct this study will expire on July 1, 1989, unless the funds are carried over; 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:

Alternative dispute resolution study; funds to carry over. Funds appropriated for fiscal year 1988-89 pursuant to Private and Special Law 1987, chapter 121 for the study of alternative dispute resolution in the Superior Court shall carry over and be available for expenditure in the fiscal year ending June 30, 1990.

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

Effective April 12, 1989.

CHAPTER 10**S.P. 128 - L.D. 213****An Act to Provide Lifetime License Plates to Margaret Chase Smith and Edmund S. Muskie**

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

Whereas, the Legislature wishes to honor 2 of Maine's most distinguished citizens; and

Whereas, the Legislature desires to award this honor when the First Regular Session of the 114th Legislature is in session; 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. Margaret Chase Smith; special license plates. The Secretary of State shall issue one pair of specially designed license plates for one designated motor vehicle owned by Margaret Chase Smith of Skowhegan. The plates shall be issued in her honor without charge for the lifetime of Margaret Chase Smith.

Sec. 2. Edmund S. Muskie; special license plates. The Secretary of State shall issue one pair of specially designed license plates for one designated motor vehicle owned by Edmund S. Muskie of Kennebunkport. The plates shall be issued in his honor without charge for the lifetime of Edmund S. Muskie.

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

Effective April 18, 1989.

CHAPTER 11**H.P. 187 - L.D. 252****An Act to Increase the Debt Limit for the South Berwick Water District**

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

Whereas, the South Berwick Water District needs the authority to increase their bonded indebtedness before the 90-day period after adjournment has elapsed; 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 1959, c. 61, §11, first ¶, as amended by P&SL 1981, c. 12, §7, is further amended to read:

For accomplishing the purposes of this Act, and for such other expenses as may be necessary for the carrying out of said purposes, said district, through its trustees, without district vote, is authorized to borrow money temporarily and to issue therefor its negotiable notes; and for the purpose of renewing and refunding the indebtedness so created, of paying any necessary expenses and liabilities incurred under

this Act, including organizational and other necessary expenses and liabilities whether incurred by the district or the town of South Berwick, the district being authorized to reimburse said Town of South Berwick for any such expense incurred by it and in acquiring properties, paying damages, laying pipes, mains, aqueducts and conduits, constructing, maintaining and operating a water plant or system and making renewals, additions, extensions and improvements to the same and to cover interest payments during the period of construction, said district, through its trustees, without district vote, is also authorized to issue, from time to time, bonds, notes or other evidences of indebtedness of the district in one series, or in separate series, in such amount or amounts, bearing interest at such rate or rates, and having such terms and provisions as the trustees shall determine; provided the total indebtedness of the district shall not exceed the sum of ~~\$2,000,000~~ \$4,000,000.

Sec. 2. Referendum; emergency clause. This Act shall be submitted to the legal voters of the Town of South Berwick at the regular town meeting in 1989 or at a special town meeting to be called and held for the purpose within 90 days of the approval of this Act. That special town meeting shall be called, advertised and conducted according to the law relating to municipal elections; provided, however, that the selectmen of the town shall not be required to prepare for posting, nor the town clerk to post, a new list of voters and for the purpose of registration of voters the board of voters registration shall be in session on the secular day next preceding the special election. The voters shall vote on the following question:

“Shall the limit on the bonded indebtedness of the South Berwick Water District be increased to \$4,000,000?”

This Act shall take effect when approved. Section 1 of this Act shall take effect when adopted by a majority of the legal voters of the Town of South Berwick voting at the election.

Effective pending referendum.

CHAPTER 12

H.P. 227 - L.D. 311

An Act to Adjust the Metes and Bounds Between the Towns of Osborn, Mariaville and Waltham in Hancock County

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

Boundary line. In Hancock County, the boundary line between the Towns of Osborn, Mariaville and Waltham shall be as described. Beginning at a 5" x 5" x 4' concrete monument with an aluminum cap indicating the towns of Amherst, Aurora, Osborn and Mariaville set at the location of an old wood post purported to be at the corner of said towns, said monument being located N 81° 39' 15" W 2708.1 feet along an old spotted line from an iron rod on the easterly

sideline of Route 179; thence from said monument running on a course of S 9° 28' 05" W 9454.7 feet to another 5" x 5" x 4' concrete monument with an aluminum cap indicating the towns of Mariaville and Osborn set on or near the northerly sideline of the said Route 179; thence continuing the same course of S 9° 28' 05" W 20,807.2 feet to another concrete monument with an aluminum cap indicating the towns of Waltham and Osborn set near the northerly edge of a power line right-of-way; thence continuing the same course of S 9° 28' 05" W 2670.0 feet to another concrete monument with an aluminum cap indicating the towns of Waltham, Osborn and Eastbrook set at the location of an old wood post purported to be at the southwest corner of the town of Osborn. Berntsen A-1 30 inch driveable monuments are set at intervals along this line as shown on a survey plan dated December 1988 by William E. Webber, R.L.S. #1073 entitled "PLAN OF SURVEY OF THE MARIAVILLE-OSBORN-WALTHAM TOWN LINE, HANCOCK COUNTY, MAINE" to be recorded in the Hancock County Registry of Deeds and the line is spotted and painted red. The bearing indicated for this line is magnetic as determined from a solar observation using the hour-angle method and a magnetic declination of 19° 00' west. The solar observation was taken near the line on a woods road of Champion International Corporation at approximately 44° 47' 16" north latitude and 68° 19' 07" west longitude.

See title page for effective date.

CHAPTER 13

H.P. 327 - L.D. 446

An Act to Amend an Act Incorporating the Trustees of Bridgton Academy

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

Mass. Laws of 1808, c. 105, §I, as amended by P&SL 1967, c. 4, §I, is further amended to read:

Section I. Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, that an academy shall be, and hereby is established at Bridgton, in the county of Cumberland, and that Mr. Samuel Andrews, Mr. Robert Andrews, Mr. Aaron Beman, Stephen Chase, Esquire, the Reverend Nathan Church, Mr. David Clark, Doctor Ezra Dean, Samuel Farnsworth, Esquire, Mr. Benjamin Kimball, Enoch Perley, Esquire, and Mr. Seba Smith, all of said Bridgton; the Reverend Daniel Gould, of Bethel, the Reverend Lincoln Ripley, of Waterford, Mr. Jonathan Bernard, of _____, and Mr. Nathaniel Burnham of Harrison, be, and they are hereby appointed the trustees of the said academy, and they and their successors in the said trust, are hereby made and declared to be a body politic and corporate, by the name of the Trustees of Bridgton Academy; and the said trustees shall have, hold and continue in perpetual succession, with all the powers and privileges usually given to, and exercised and enjoyed by other academies; but the number of the said trustees, shall not be less than nine, nor more than twenty;