

# 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.

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J.S. McCarthy Company  
Augusta, Maine  
1989

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**PRIVATE AND SPECIAL LAWS**

**OF THE**

**STATE OF MAINE**

**AS PASSED AT THE**

**FIRST REGULAR SESSION**

**of the**

**ONE HUNDRED AND FOURTEENTH LEGISLATURE**

**1989**

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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.

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## 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.

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## 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;

~~and five of whom may be a quorum for doing business and the quorum for doing business shall be as provided under the bylaws of the Academy.~~ And the said trustees may keep and use a common seal, which they may alter or change when they see cause; and all deeds or other instruments, made by the said corporation, shall be signed and sealed with their seal, and executed, delivered and acknowledged by the secretary and treasurer of the said corporation by order of the trustees, and shall be binding on the said corporation, and shall be good and valid in law.

See title page for effective date.

**CHAPTER 14**

**H.P. 911 - L.D. 1273**

**An Act to Improve Ventilation at the Augusta Mental Health Institute**

**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 has determined that immediate action must be taken to meet the need for a more healthy and comfortable environment in critical patient areas at the Augusta Mental Health Institute; and

**Whereas,** an engineering study indicates that a short-term solution to meet this need can be accomplished with a combination of ventilation and air-conditioning improvements; and

**Whereas,** in order to meet this need certain obligations and expenses will become due and payable immediately; 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:**

**Appropriation.** The following funds are appropriated from the General Fund to carry out the purposes of this Act.

1988-89

**FINANCE, DEPARTMENT OF**

**Rainy Day Fund Program**

Unallocated (\$722,200)

**DEPARTMENT OF FINANCE  
TOTAL**

(\$722,200)

**ADMINISTRATION, DEPARTMENT OF**

**Capital Construction, Repairs,  
Improvements - Administration**

All Other \$234,200  
Capital Expenditures \$488,000

Provides funds for improved ventilation and air conditioning in critical patient areas at the Augusta Mental Health Institute. These funds shall carry forward to June 30, 1990.

**DEPARTMENT OF ADMINISTRATION  
TOTAL**

\$722,200

**TOTAL APPROPRIATIONS**

\$-0-

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

Effective April 20, 1989.

**CHAPTER 15**

**H.P. 62 - L.D. 86**

**An Act to Make Additional Allocations for Administrative Expenses of the Bureau of Alcoholic Beverages, Department of Finance, for the Fiscal Year Ending June 30, 1989**

**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,** certain obligations and expenses incident to the operation of the Bureau of Alcoholic Beverages will become due and payable before the next fiscal year; 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. Additional allocation of fund.** In order to provide for the necessary expenses of operation and administration of the Bureau of Alcoholic Beverages, the following amount is allocated from the revenues derived from operation of the State Alcoholic Beverage Fund.