

# 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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granite monument; thence South fifty-three degrees, eleven minutes, thirty seconds East (S 53° 11' 30" E) a distance of three hundred twenty-seven and six tenths feet (327.6') to a granite monument on the generally southerly side of Gowen Road, so called; thence South fifty-three degrees, twenty-three minutes, thirty seconds East (S 53° 23' 30" E) passing through an intermediate monument shown on the plan hereinafter referenced, a distance of one thousand eight hundred sixty-two and nine tenths feet (1,862.9') to a granite monument; thence North twenty-nine degrees, fifty-one minutes, thirty seconds East (N 29° 51' 30" E) a distance of sixty-five and seven tenths feet (65.7') to a granite monument; thence South fifty-three degrees, ten minutes, thirty seconds East (S 53° 10' 30" E) a distance of one thousand one hundred fifty-eight and seven tenths feet (1,158.7') to a 2-inch diameter aluminum pipe monument set; thence South thirty-seven degrees, thirty minutes, zero seconds West (S 37° 30' 00" W) a distance of five hundred sixty-one and zero tenths feet (561.0') to a granite monument; thence South fifty-two degrees, thirty minutes, thirty seconds East (S 52° 30' 30" E) a distance of six hundred twelve and zero tenths feet (612.0') to a granite monument; thence South thirty-four degrees, thirty-five minutes, thirty seconds West (S 34° 35' 30" W) a distance of three hundred thirty-one and three tenths feet (331.3') to a granite monument; thence South thirty-four degrees, forty-one minutes, thirty seconds East (S 34° 41' 30" E) passing through the intermediate monument shown on the plan hereinafter referenced, a distance of one thousand eight hundred forty-nine and zero tenths feet (1,849.0') to a granite monument; thence North eighty-four degrees, twenty-four minutes, thirty seconds East (N 84° 24' 30" E) a distance of eight hundred sixty-two and two tenths feet (862.2') to a granite monument; thence South thirty-five degrees, twenty-nine minutes, zero seconds East (S 35° 29' 00" E) a distance of seven hundred forty and eight tenths feet (740.8') to a granite monument; thence North twenty-two degrees, seventeen minutes, thirty seconds East (N 22° 17' 30" E) a distance of two hundred thirty-six and five tenths feet (236.5') to a granite monument; thence South thirty-five degrees, thirty-two minutes, thirty seconds East (S 35° 32' 30" E) a distance of nine hundred forty-eight and eight tenths feet (948.8') to a granite monument on the northerly side of Brook Street, so called; thence South thirty-five degrees, thirty-five minutes, zero seconds East (S 35° 35' 00" E) passing through the intermediate monument shown by the plan hereinafter referenced, a distance of two thousand three hundred sixty and three tenths feet (2,360.3') to a granite monument on the northerly bank of the Presumpscot River; thence continuing on the same course to the thread of said River which is the northerly line of the City of Portland.

Bearings referenced herein are oriented to the Maine Coordinate System of 1983 (West Zone) as determined by a survey of the within described boundary by Plisga and Day, land surveyors. The within described boundary being the same shown on a plan titled, "Survey Plan Showing Location of Municipal Boundary Between the Town of Falmouth and the City of Westbrook, Cumberland County - Maine" dated

February 16, 1988, revised to November 14, 1988, to be recorded in the Cumberland County Registry of Deeds.

See title page for effective date.

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## CHAPTER 29

H.P. 699 - L.D. 951

### An Act to Amend the Boundary Line Between the Towns of Albion and Benton

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

**Boundary Line.** In Kennebec County, the boundary line between the Towns of Albion and Benton shall be as described.

Beginning at a drill hole in the top of a stone bound set in 1988 and engraved with the letters "A" and "B" on the respective sides facing the Towns of Albion and Benton; the stone bound is located on a polar bearing of South 78° 05' 44" East and 3,154.3 feet from the stone bound at Foss Hill marking the corners of Albion, Benton and Winslow, and along the existing municipal boundary between the Towns of Benton and Albion as established by Chapter 142, 1803 Laws and Resolves of Massachusetts; thence, North 11° 14' 14" East for 1,881.2 feet to a drill hole in the top of a stone bound set in 1988 near the southerly line of the Albion-Benton Road, the stone bound marked with the letters "A" and "B" on the respective sides facing the Towns of Albion and Benton. Thence, North 11° 14' 14" East for 858.1 feet to a drill hole in the top of a stone bound set in 1988 marking a corner of the town line, the stone bound marked with the letters "A" and "B" on the respective sides facing the Towns of Albion and Benton; thence, North 78° 33' 11" West along the existing municipal boundary between the Town of Albion and the Town of Benton.

All bearings have been rotated to match a plan entitled "Albion-Benton Town Line" dated October, 1976, by S.L.F., Inc. All bearings are based on true north. The declination from true north to magnetic north is 18° 50' 51" West.

See title page for effective date.

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## CHAPTER 30

H.P. 254 - L.D. 366

### An Act to Allow Municipalities to Withhold Business Licenses under Some Circumstances

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

**Whereas**, many of the businesses affected by this legislation are seasonal businesses; and

**Whereas**, these businesses are currently opening for the tourist season; and

**Whereas**, municipalities should have the authority to deny licenses under this legislation before the businesses open; 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:**

P&SL 1961, c. 176, §3-A is enacted to read:

Sec. 3-A. Personal property tax delinquency. Any municipality with an ordinance enacted under the authority of this chapter may refuse to issue or renew a license when the applicant is delinquent in paying any personal property tax assessed by the municipality. No municipality may refuse to issue a license because of an applicant's delinquency during the pendency of any request for an abatement from or an appeal of the tax assessment which is claimed to be delinquent.

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

Effective June 1, 1989.

## CHAPTER 31

H.P. 1101 - L.D. 1534

### An Act to Amend the Law Incorporating the Milo Water District

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

P&SL 1941, c. 62, §8, first sentence is amended to read:

The annual meeting of the district shall be held within the district on the 1st Monday of ~~February~~ March, at such hour and place as may be designated by resolution of the board of trustees as provided in the by-laws.

See title page for effective date.

## CHAPTER 32

H.P. 983 - L.D. 1361

### An Act to Amend the Charter of Hebron Academy

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

**Whereas**, it is essential for the success of Hebron Academy's major capital fund drive that it create new classes of trustees; and

**Whereas**, under the academy's charter and bylaws, trustees can only be elected at the trustees' June meeting; and

**Whereas**, nonemergency legislation will not take effect until September, if the Legislature adjourns in June; 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 1981, c. 78, §1, last sentence is repealed.

**Sec. 2.** P&SL 1981, c. 78, §§3, 4 and 5 are repealed and the following enacted in their place:

**Sec. 3. Trustees; number.** All the affairs of the academy shall be managed by the Board of Trustees, to consist of no more than 25 nor fewer than 19 members. The words "trustee" and "trustees," as used in this charter, unless specifically designated otherwise, shall mean an active trustee or active trustees.

**Sec. 4. Election.** The election of trustees shall be conducted according to the following provisions.

A. At its annual meeting in June of each year, the Board of Trustees shall elect trustees for a term of 4 years each.

B. No person may be considered for election as a trustee within 12 months after having served 2 full 4-year consecutive terms, except that the Board of Trustees shall have the right to extend the term of a trustee who is finishing a 2nd full 4-year consecutive term for additional consecutive one-year terms, provided the nominating committee, prior to each additional consecutive one-year term, makes such a recommendation to the trustees by affirmative vote of at least 75% of its members and the Board of Trustees, by vote of at least 75% of the trustees constituting a quorum in attendance at a meeting, so