

# 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 FIFTEENTH LEGISLATURE

FIRST REGULAR SESSION

December 5, 1990 to July 10, 1991

Chapters 1 - 590

THE GENERAL EFFECTIVE DATE FOR  
NON-EMERGENCY LAWS IS  
OCTOBER 9, 1991

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  
1991

---

---

**PUBLIC LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED AT THE**  
**FIRST REGULAR SESSION**

**of the**  
**ONE HUNDRED AND FIFTEENTH LEGISLATURE**

**1991**

---

---

identifying the claimant and reasonably describing the unfair and deceptive act or practice relied upon and the injuries suffered, must be mailed or delivered to any prospective respondent at the respondent's last known address. A person receiving a demand for relief, or otherwise a party to any litigation arising from the claim that is the subject of the court action, may make a written tender of settlement or, if a court action has been filed, an offer of judgment. If the judgment obtained in court by a claimant is not more favorable than any rejected tender of settlement or offer of judgment, the claimant may not recover attorney's fees or costs incurred after the more favorable tender of settlement or offer of judgment.

The demand requirement of this subsection does not apply if the claim is asserted by way of counterclaim or cross claim.

**Sec. 3. Application.** The Maine Revised Statutes, Title 5, section 213, subsection 1-A applies only to actions for damages filed after the effective date of this Act.

See title page for effective date.

---

## CHAPTER 537

S.P. 446 - L.D. 1190

### An Act Regarding Investment of State Funds in Corporations Doing Business in Northern Ireland

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

**5 MRSA §1955, sub-§3** is enacted to read:

**3. Report.** The Treasurer of State and the board shall report to the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs on February 1, 1992 and each February 1st thereafter. The report, at a minimum, must contain the following information:

A. The names of United States corporations or their subsidiaries:

(1) That are currently doing business in Northern Ireland; and

(2) In which the assets of any state pension or annuity fund are invested;

B. Identification of the United States corporations or their subsidiaries listed in paragraph A that have signed agreements to abide by the standards set forth in subsection 1; and

C. A list and description of all actions taken by the Treasurer of State and the board to encourage cor-

porate adherence to this section, including shareholder petitions and initiatives.

See title page for effective date.

---

## CHAPTER 538

S.P. 508 - L.D. 1346

### An Act to Place Certain Lands Recommended by the Special Committee on the New Capitol Area Master Plan under the Jurisdiction of the Capitol Planning Commission

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

**Sec. 1. 1 MRSA §814**, as amended by PL 1989, c. 502, Pt. A, §1, is further amended to read:

#### **§814. Purchase of real estate**

Whenever the Governor determines that public exigencies require the construction of additional buildings, structures, parking spaces or other facilities for the expansion of State Government in the Capitol Area, ~~he~~ the Governor may purchase or take by eminent domain real estate in Augusta. The Capitol Area is ~~as defined in~~ as the following ~~description:~~ described premises.

#### 1. West side of Kennebec River

Beginning at the intersection of the easterly line of Florence Street with the northerly line of Capitol Street; thence easterly along said northerly line of Capitol Street to a point of 150 feet westerly of the intersection of the westerly line of Federal Street projected northerly across said Capitol Street and said northerly line of Capitol Street; thence southerly and parallel to said westerly line of Federal Street about 800 feet to Kennedy Brook; thence following the thread of the stream generally easterly to its intersection with the northerly property line of the land of the State of Maine, being part of the Motor Vehicles premises; thence westerly about 60 feet along said property line; thence southerly along said property line about 155 feet; thence easterly along said property line about 140 feet; thence southerly along said property line about 120 feet to the northerly line of Manley Street; thence diagonally and southwesterly across Manley Street to its intersection with the northwesterly corner of other land of the State of Maine, thence southerly along said property line extended to the northerly line of Glenwood Street; thence along said Glenwood Street easterly to the westerly line of State Street; thence northerly along said State Street about 150 feet to a point opposite the northerly line of Britt Street; thence across State Street and along the northerly line of said Britt Street easterly to its intersection with property of Augusta Sanitary District; thence northerly and easterly as said property line may

run to its intersection with the ~~westerly right-of-way line of the Maine Central Railroad Company~~ Kennebec River; thence along said ~~railroad line~~ river northerly as the same may run to its intersection with the southerly line of highway Route 201; thence southwesterly along said highway line, as the same may run, to the easterly line of State Street at its intersection with Memorial Traffic Circle; thence across State Street in a northwesterly direction to the southeasterly line of Grove Street at its intersection with Memorial Traffic Circle; thence southwesterly along said Grove Street to the northerly line of Higgins Street; thence across Grove Street; thence southerly along Grove Street to its intersection with the northerly line of Wade Street; thence westerly about 400 feet in a straight line along Wade Street and its northerly line extended to the westerly line of Sewall Street; thence southerly along Sewall Street to the northerly line of Wade Street; where it intersects the westerly line of Sewall Street; thence westerly along the northerly line of Wade Street, and thence continuing in a straight line westerly and parallel to Capitol Street to the easterly line of Florence Street; thence southerly along Florence Street to the point of beginning.

Beginning at a point at the intersection of the northerly line of the Old Arsenal Grounds with the westerly line of Hospital Street; thence westerly along said northerly line of the Old Arsenal Grounds 1,680 feet to a point at the Kennebec River; thence following the river generally southwesterly to a point where a projected northeasterly line of Kelton Road would meet the river, being a point 2,185 feet, more or less, from the intersection of said road and the northwesterly line of Hospital Street, thence southeasterly to and along the projected northwesterly line of Kelton Road from the river to a point on the southwest corner of the lands of the Augusta Sanitary District 564.19 feet, more or less, from the intersection of Kelton Road and Hospital Street; thence northeasterly at an interior angle of 89° 20' a distance of 84.88 feet to a point; thence southeasterly at an interior angle of 90° a distance of 76.09 feet to a point; thence northeasterly at an interior angle of 270° a distance of 98.74 feet to a point; thence at an interior angle of 90° 20' a distance of 212.8 feet, more or less, on a line bearing S 61° 20' E to a point; thence southwesterly at an interior angle of 90° a distance of 36.06 feet, more or less, to a point on the northerly line of the Augusta Sanitary District property; thence in an easterly direction at an angle 90° and a distance of 128.42 feet, more or less, to a point; thence in a northerly direction at an angle of 90° a distance of 73 feet to a point; thence in an easterly direction at an angle of 90° and a distance of 143 feet, more or less, to a point on the westerly line of Hospital Street; thence northeasterly along the westerly line of Hospital Street 3,125 feet to a point on the southeast corner of the lands of the City of Augusta; thence westerly at right angle 185 feet to a point; thence southerly at right angle 25 feet to a point; thence westerly at right angle 115 feet to a point; thence northerly at right angle 140 feet to a point; thence easterly at right angle 115

feet to a point; thence northerly at right angle 20 feet to a stone bound; thence easterly at right angle 185 feet to the westerly line of Hospital Street; thence northerly along the westerly line of Hospital Street 380 feet, more or less, to the point of beginning.

All proceedings under this section ~~shall~~ must be in accordance with Title 35-A, chapter 65.

**Sec. 2. Boundary intent.** Notwithstanding the physical description of the Capitol Area in the Maine Revised Statutes, Title 1, section 814, the Capitol Area extension on the east side of the Kennebec River includes only property owned by the State on the effective date of this Act. Any private property or property owned by any nonstate governmental unit or quasi-municipal corporation included in the physical description of the boundary extension of the Capitol Area is expressly excluded from this extension.

**Sec. 3. Lease interest preserved.** Notwithstanding the Maine Revised Statutes, Title 1, chapter 21; Title 3, chapter 31; and Title 5, chapter 14-A, the State, through the Bureau of Public Lands, shall enter into new leases with the Capitol Area Recreation Association and the Pine Tree State Arboretum for certain lands now leased by those entities within the Capitol Area on the east side of the Kennebec River. The new leases must be on the same terms and conditions as the current leases, except that they must be for a term of 99 years and must provide that either party may terminate the lease for any reason on 6 months' prior notice. The use of those lands under lease, including the construction of new recreational facilities, by the Capitol Area Recreation Association, the Pine Tree State Arboretum, or their invitees, may not be impaired by any action of the Legislative Council, the State House and Capitol Park Commission or the Capitol Planning Commission.

See title page for effective date.

---



---

## CHAPTER 539

H.P. 1280 - L.D. 1850

### An Act to Extend the Commission to Study the Future of Maine's Courts

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

**Sec. 1.** PL 1989, c. 891, Pt. B, §B-6 is amended to read:

**Sec. B-6. Report to Legislature.** The commission, by ~~November 15, 1992~~ February 28, 1993, shall report to the Joint Standing Committee on Judiciary and the Office of the Executive Director of the Legislative Council the results of its findings and recommendations