

MAINE STATE LEGISLATURE

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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

FIRST SPECIAL SESSION

July 11, 1991 to July 18, 1991

THE GENERAL EFFECTIVE DATE FOR

FIRST REGULAR SESSION

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

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE

AS PASSED AT THE

FIRST REGULAR SESSION

of the

ONE HUNDRED AND FIFTEENTH LEGISLATURE

1991

CHAPTER 1

H.P. 85 - L.D. 119

An Act to Amend the Long Pond Water District Charter

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

Whereas, the Long Pond Water District must take action as soon as possible to purchase the Long Pond Water Company and become operational; and

Whereas, the appointment of the initial trustees is essential to the administration of the water district; 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 P&SL 1989, c. 121, §9, sub-§1 is repealed and the following enacted in its place:

1. **First board.** The municipal officers of the Town of Sullivan and the Town of Sorrento shall appoint the first board of trustees. The officers of the Town of Sullivan shall appoint one trustee and the officers of the Town of Sorrento shall appoint 4 trustees. One trustee serves for a term of one year, 2 trustees serve for a term of 2 years and 2 trustees serve for a term of 3 years. At the first meeting, the initial trustees shall determine by agreement, or failing to agree they shall determine by lot, the term of office of each trustee. Thereafter, trustees are elected to serve 3-year terms. Vacancies are filled pursuant to subsection 4.

Sec. 2. P&SL 1989, c. 121, §9, sub-§4, first 2 sentences are repealed and the following enacted in their place:

Whenever the term of office of a trustee expires, the trustee's successor is elected by a plurality vote by the inhabitants of the district. For the purpose of election, a special election must be called and held during the last 2 weeks of July, the election to be called by the trustees of the district in the same manner as town meetings are called and for this purpose the trustees are vested with the powers of municipal officers.

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

Effective April 9, 1991.

CHAPTER 2

H.P. 306 - L.D. 436

An Act to Increase the Limit of Indebtedness of the Newport Water District from \$1,500,000 to \$3,500,000

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

Whereas, there is an immediate need for an increase in funds available to the Newport Water District to address current and foreseeable expenses of the Newport Water District; 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 1975, c. 29, §14, first ¶, as amended by P&SL 1981, c. 31, is further amended to read:

For accomplishing the purposes of this Act, said water district, through its trustees, without vote of the inhabitants, is authorized to borrow money temporarily and to issue therefor the negotiable notes of the district, for the purpose of refunding the indebtedness so created, for paying any necessary expenses and liabilities incurred under the provisions of this Act, including the expenses incurred in the creation of a district, in acquiring the properties and franchises of said Maine Water Company by purchase or otherwise, of assuming and paying all mortgages, liens and encumbrances thereon as provided in sections 10 and 11, of securing sources of supply, taking water and land, paying damages, laying pipes, constructing, maintaining and operating a water plant and making renewals, extensions, additions and improvements to the same, and protecting the watershed, to an amount or amounts necessary in the judgment of the trustees therefor, provided the total indebtedness ~~shall~~ may not exceed the sum of ~~\$1,500,000~~ \$3,500,000 at any one time outstanding.

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

Effective April 16, 1991.

CHAPTER 3

H.P. 860 - L.D. 1240

An Act Regarding the Authority of Cumberland County to Take Land by Eminent Domain

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

Whereas, the authority of Cumberland County to acquire real property by eminent domain for the location of a jail facility expires on April 10, 1991; 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 1989, c. 63, §1, sub-§3, ¶A, as enacted by P&SL 1989, c. 120, §1, is amended to read:

A. To acquire real or personal property or any interest in real or personal property, including rights or easements, on either a temporary or permanent basis, by gift, purchase, transfer, lease or otherwise. The county commissioners may acquire, for the location of the jail facility, any real property within the City of Portland, including property that does not abut existing county buildings, by eminent domain under the procedures established in the Maine Revised Statutes, Title 23, sections 2051 to 2058, provided that Title 23, section 7202, does not apply to any taking of land of any railroad corporation as long as no operating track is taken. Eminent domain proceedings under this paragraph must be initiated ~~within one year of the effective date of this subsection~~ on or before April 10, 1992. The county commissioners may improve, hold, sell, with or without public bidding, assign, lease, rent or otherwise dispose of any real or personal property, or any interest in real or personal property in connection with the project;

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

Effective April 24, 1991.

CHAPTER 4

S.P. 91 - L.D. 176

An Act to Define the Boundary between the Towns of Madison, Norridgewock and Skowhegan

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

Boundary line between the Towns of Madison, Norridgewock and Skowhegan. The boundary

between the Towns of Madison, Norridgewock and Skowhegan, all in Somerset County, is as follows:

Beginning at a tapered granite stone scribed "T. C." found set in the ground at or near the southeast corner of the Town of Madison;

Thence N 82-53-32 W a distance of 2,914.85 ft. to a 6"x12" granite stone scribed "T. L." found on the easterly side of the East Madison Road, (so called);

Thence N 82-53-32 W a distance of 1,303.62 ft. to a 3 1/4" Aluminium survey cap set in the ground on the easterly side of U. S. Route 201;

Thence N 82-16-54 W a distance of 1,550.00 ft. to a 3 1/4" Aluminium survey cap set in the ground;

Thence N 82-16-54 W a distance of 1,550.00 ft. to a 3 1/4" Aluminium survey cap set in the ground;

Thence N 82-16-54 W a distance of 1,658.62 ft. to a 3 1/4" Aluminium survey cap set in the ground;

Thence N 82-16-54 W a distance of 1,600.00 ft. to a 3 1/4" Aluminium survey cap set on a 3/4" rebar set in concrete on the easterly side of the Russell Road (so called);

Thence N 82-16-54 W a distance of 219.31 ft. to a 3 1/4" Aluminium survey cap set in the ground, said 3 1/4" aluminium survey cap marks the common corner between the towns of Madison, Skowhegan, and Norridgewock.

All bearings described above are reference to Magnetic north.

Reference survey plan by Smith's Land Surveys, Inc. dated October 1990 and entitled "Proposed Location Of Town Lines Between The Towns of Skowhegan, Madison, and Norridgewock"

See title page for effective date.

CHAPTER 5

H.P. 680 - L.D. 979

An Act Concerning the Town of Rumford Water District

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

Sec. 1. P&SL 1911, c. 290, §9, 7th sentence, as amended by P&SL 1981, c. 45, §1, is repealed and the following enacted in its place: