

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

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:

Each member is entitled to compensation in an amount not to exceed \$1,000 per year set by the municipal officers of the Town of Rumford.

Sec. 2. P&SL 1971, c. 58, first 3 lines are amended to read:

P. & S. L., 1911, c. 290, § 9, amended. The 6th 7th sentence of section 9 of chapter 290 of the private and special laws of 1911, is repealed and the following enacted in place thereof:

Sec. 3. P&SL 1981, c. 45, §1, first 2 lines are amended to read:

Sec. 1. P&SL 1911, c. 290, § 9, 6th 7th sentence, as repealed and replaced by P&SL 1971, c. 58, is amended to read:

See title page for effective date.

CHAPTER 6

H.P. 54 - L.D. 75

An Act to Protect Insurance Consumers

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

Allocation. The following funds are allocated from Other Special Revenue to carry out the purposes of this Act.

	1991-92	1992-93
PROFESSIONAL AND FINANCIAL REGULATION, DEPARTMENT OF		
Bureau of Insurance		
All Other	\$18,000	\$18,000
Provides funds for an "800" telephone number on a recording device to enable the Bureau of Insurance to assist citizens with claims and purchases of health, long-term care and life insurance.		

See title page for effective date.

CHAPTER 7

S.P. 251 - L.D. 709

An Act to Provide for Fiscal Year Accounting and Pretreatment Provisions for the Kennebec Sanitary Treatment District

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

Sec. 1. P&SL 1971, c. 45, §3, as amended by P&SL 1975, c. 128, §§5 to 7, is further amended by adding at the end a new paragraph to read:

The trustees are entitled to receive compensation as recommended by them and approved by majority vote of the municipal officers in municipalities representing a majority of the population within the district, including compensation for any duties they perform as officers as well as for their duties as trustees. Certification of such a vote must be recorded with the Secretary of State and recorded in the bylaws of the district. The compensation for duties as trustees must be on the basis of such specified amount as may be specified in the bylaws for each meeting actually attended and reimbursement for travel and expenses with the total not to exceed such specific amount as may be specified in the bylaws. Compensation schedules in effect on January 1, 1990, continue in effect until changed.

Sec. 2. P&SL 1971, c. 45, §10, 3rd ¶, as amended by P&SL 1983, c. 18, §2, is further amended to read:

The trustees district may by order, rule or regulation require industrial pretreatment of wastes discharged into its sewage treatment or into any system connecting with it, or such industrial pretreatment as may be required by any federal or state order, rule or regulation.

Sec. 3. P&SL 1971, c. 45, §10, 4th ¶, first sentence is amended to read:

In addition to any other remedy, the Superior Court shall have jurisdiction upon a complaint filed by the district to restrain or enjoin any person, firm, corporation or municipality from committing any act ~~which~~ that may damage or impair its sewage treatment or ~~which~~ is prohibited by any order, rule or regulation of the district, including, without limitation, any order, rule or regulation pertaining to the pretreatment of industrial waste.

Sec. 4. P&SL 1971, c. 45, §12, as repealed and replaced by P&SL 1983, c. 18, §3, is amended to read:

Sec. 12. Injury to property of district. Any person who ~~shall place, discharge places, discharges or leave~~ leaves any offensive or injurious matter or material on or in the conduits, catch basins or receptacles of the district contrary to its regulations, or ~~shall knowingly injure~~ injures any conduit, pipe, reservoir, flush tank, catch basin, manhole, outlet, engine, pump or other property held, owned or used by the district ~~shall be~~ is liable to pay twice the amount of the damages to the district, to be recovered in any proper action; and that person and any person who violates section 10 is guilty of a Class E crime.

An industrial user who produces industrial waste and who violates any local, state or federal law, order, rule or regulation pertaining to the pretreatment of industrial waste may be enjoined from continuing in any such violation and may be assessed, in addition to any