

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

Fund for the next 2 fiscal years, from July 1, 1991 to June 30, 1992 and from July 1, 1992 to June 30, 1993 must be segregated, apportioned and disbursed as designated in the following schedule:

	1991-92	1992-93
ENVIRONMENTAL PROTECTION, DEPARTMENT OF		
Oil and Hazardous Materials Control		
Positions - Other Count	(19.0)	(19.0)
Personal Services	\$747,850	\$814,010
All Other	367,303	390,270
Capital Expenditures	10,000	30,000
DEPARTMENT OF ENVIRONMENTAL PROTECTION		
TOTAL	\$1,125,153	\$1,234,280

Sec. 4. Allocation of the Radioactive Waste Evaluation Fund. Income to the Radioactive Waste Evaluation Fund for the next 2 fiscal years, from July 1, 1991 to June 30, 1992 and from July 1, 1992 to June 30, 1993 must be segregated, apportioned and disbursed as designated in the following schedule:

	1991-92	1992-93
ENVIRONMENTAL PROTECTION, DEPARTMENT OF		
Technical Studies		
Positions - Other Count	(3.5)	(3.5)
Personal Services	\$133,495	\$144,602
All Other	44,965	38,719
TOTAL	\$178,460	\$183,321
Radioactive Waste Evaluation Fund		
Personal Services	\$2,000	\$2,000
All Other	17,817	17,793
TOTAL	\$19,817	\$19,793
DEPARTMENT OF ENVIRONMENTAL PROTECTION		
TOTAL	\$198,277	\$203,114

Sec. 5. Adjustments to allocations. Allocations made in sections 1 to 4 may be increased or adjusted by the State Budget Officer with the approval of the Governor, to specifically cover those adjustments determined to be necessary under any salary plan approved by the Legislature, and those reclassifications or range changes which have been approved by the Department of Administration and submitted for legislative review prior to the effective date of this Act.

Sec. 6. Encumbered balance at year end. At the end of each fiscal year, all encumbered balances may not be carried more than once.

Emergency clause. In view of the emergency cited in the preamble, this Act takes effect July 1, 1991.

Effective July 1, 1991.

CHAPTER 33

H.P. 1269 - L.D. 1840

An Act to Amend the Boundaries Between the City of Saco and the Town of Old Orchard Beach

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

P&SL 1883, c. 248, §1, as amended by PL 1981, c. 42, is further amended to read:

Sec. 1. Boundaries changed and extended; payment of damages. All that part of the city of Saco lying within the following described lines and boundaries, namely; commencing at the easterly corner between the said city of Saco and the town of Scarborough; thence by the line between said city of Saco and said town of Scarborough northwesterly to a stone in the sea wall; thence ~~north forty two degrees and fifty five minutes west, N 42°55' W~~ by a set line ~~six hundred ninety three 693~~ rods, to a granite stone placed at a point where the line between said city of Saco and said town of Scarborough intersects with a line in the said city of Saco known as the Granger line; thence ~~southerly, forty seven degrees and twelve minutes west, eight hundred sixty three and one half rods S 47°12' W~~ 5,416 feet, more or less, to a granite stone inscribed "S" on the northwest side and "O" on the southeast side found set in the ground on the southwesterly side of the old location of the "East Old Orchard" Road; thence continuing on the same course 4,252.10 feet to a point located N 43°42'45" W 4.50 feet from a granite monument with drill hole found set in the ground; thence N 43°42'45" W 31.54 feet to a granite monument with drill hole found set in the ground; thence N 46°40'30" E 273.94 feet to the base of an old loose granite monument found set in the ground; thence N 47°11'45" W 148.88 feet to a granite monument with drill hole found set in the ground; thence S 55°19'45" W 1,451.87 feet to an iron pipe found driven into the ground; thence S 47°57'30" E 389.34 feet to a point located N 47°57'30" W 1.97 feet from a granite monument with drill hole found set in the ground; thence S 47°12'00" W 862.86 feet to a granite monument with iron rod inscribed "S" on the northwest side and "O" on the southeast side found set in the ground on the "Middle Line" so-called; thence continuing on the same course 3,850 feet, more or less, to a granite stone on the bank of Goose Fair Brook in said city of Saco; thence southeasterly by said Goose Fair Brook to the sea; thence southeasterly, on the same course 1,000 feet to a point; thence northeasterly, parallel to and 1,000 feet distant from the shore to a point 1,000 feet southeasterly from the boundary

first above named; thence northwesterly 1,000 feet to the boundary first above named, or to such distance as the city of Saco may have owned or controlled prior to February ~~twentieth, eighteen hundred and eighty-three~~ 20, 1883; with all the sea shore and flats and all other interests in said land lying between the medial line of said Goose Fair Brook extended and said easterly corner of the city of Saco is hereby incorporated into a separate town by the name of Old Orchard and the inhabitants thereof are hereby invested with all the powers and privileges and are made subject to all the duties and liabilities incident to other towns within this state. Provided the town of Old Orchard pay to the city of Saco, as damages, such an amount as a committee, composed of the ~~chairmen chairs~~ of the boards of assessors of said Saco and of said Old Orchard and one other disinterested person by them selected, may determine is just and equitable.

See title page for effective date.

CHAPTER 34

H.P. 1225 - L.D. 1783

An Act to Amend the Waldoboro Sewer District Charter

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

Sec. 1. P&SL 1963, c. 146, §§1, 2 and 7 are amended to read:

Sec. 1. Incorporation. The territory, and the inhabitants ~~therein~~, of the Town of Waldoboro in the County of Lincoln, shall constitute ~~a public sewerage district and~~ a body politic and corporate under the name of "Waldoboro Sewer Utility District." The purpose of said district, subject to the provisions of section 10 hereof, shall be to take over, control, operate and manage the sewers now owned by the Town of Waldoboro with all appurtenances ~~thereto~~ to the sewers; to extend, increase, enlarge and improve said sewers; to extend the present system or systems so as to furnish sewerage facilities to parts of the town not now served with such facilities; to provide for removal and treatment of sewage when, as and if such treatment become necessary; and generally to construct, maintain, operate and provide a system of sewerage, sewage disposal and sewage treatment for public purposes and for the health, welfare, comfort and convenience of the inhabitants of the district.

Sec. 2. Authority to construct and maintain. Within said territory and the territory of any adjoining municipality said Waldoboro Sewer Utility District is hereby authorized to lay pipes, drains, sewers and conduits, and to take up, repair and maintain the same or to contract for the same to be done, in, along and through any public or private ways and public grounds,

and in, along and through lands of any person or corporation as hereafter provided in this charter, to and into tidal waters, rivers, watercourses or treatment works or to or into any drain or sewer ~~now or hereafter built~~ which empties into tidal waters, rivers, watercourses or treatment works, the discharge ~~therefrom~~ from the drain or sewer to be at such points consistent with the requirements of public health ~~as shall be found to be~~ convenient and reasonable for said district and the flow of existing watercourses; to construct and maintain treatment works, pumping stations, basins, reservoirs, flush tanks and such other appliances for collecting, holding, purifying, distributing and disposing of sewage matter and industrial waste and, subject to the provisions of section 10 hereof, of surface and waste water, all as may be necessary or proper; and in general, do any or all other things necessary or incidental to accomplish the purposes of this act.

Sec. 7. Rights of abutters or others to enter. Any person may enter ~~his~~ that person's private sewer into any sewer of the district while the same is under construction and before completion of said sewer at the point of entry, and before an entrance charge is established, on obtaining a permit in writing from the trustees; but after the sewer is completed to the point of entry and an entrance charge established on that location, ~~no a person shall may not~~ enter his that person's private sewer into such sewer until ~~he~~ that person has paid the entrance charge and obtained a permit in writing from the trustees ~~as aforesaid~~. All such permits shall be recorded by the clerk of the district in its records before the same are issued.

Sec. 2. P&SL 1963, c. 146, §14, as amended by P&SL 1989, c. 2, §1, is further amended to read:

Sec. 14. Trustees and officers; tenure of office; election to office; organization; vacancies; compensation. All of the affairs of said district shall be are managed by a board of 3 trustees, ~~residents therein~~, who ~~shall be~~ must be residents of the Town of Waldoboro and who are chosen as hereinafter provided in this section.

As soon as ~~may be~~ convenient after acceptance of this act, the municipal officers of the Town of Waldoboro shall appoint 3 trustees of said district to hold office as follows: One to serve until the first annual meeting of said town following the acceptance of this act; one to serve until the 2nd annual meeting of said town following said acceptance; and one to serve until the 3rd annual meeting of said town following such acceptance. At each annual meeting of said town, beginning with the first annual meeting after acceptance of this act, one trustee ~~shall be~~ is elected by ballot as hereafter provided in this section to serve until the annual meeting of said town occurring 3 years ~~thereafter~~ after the election of the trustee and until ~~his~~ the trustee's successor is elected and qualified. When any trustee ceases to be a resident of said district, ~~he~~ the trustee vacates ~~his~~ the trustee's