

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

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ONE HUNDRED AND FIFTEENTH LEGISLATURE

1991

In examining this topic, the committee may:

1. Meet as necessary;
2. Hold informational sessions for discussions with knowledgeable persons;
3. Conduct, summarize and analyze the results of a literature search;
4. Conduct, tabulate and analyze the results of a survey of the public or affected persons and groups;
5. Procure and analyze relevant data;
6. Conduct legal research and prepare opinions on legal questions within the scope of the study; and
7. Determine and summarize the legislative actions or governmental programs undertaken in other jurisdictions related to issues within the scope of the study.

Sec. 5. Staff assistance. No staffing for the committee is authorized.

Sec. 6. Reimbursement. No compensation or reimbursement for members of the committee is authorized.

Sec. 7. Report. The committee shall submit its report to the Joint Standing Committee on Legal Affairs no later than November 1, 1991.

See title page for effective date.

CHAPTER 51

H.P. 928 - L.D. 1348

An Act to Reinstitute the Township of Misery-Sapling Gore

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

Sec. 1. P&SL 1989, c. 33 is repealed.

Sec. 2. Administration of Misery-Sapling Gore. Those portions of Misery-Sapling Gore, T1, 2 and 3 R7 BKP WKR, in Somerset County, lying wholly within the unorganized territories, that were absorbed into the townships of Parlin Pond, T3 R7 BKP WKR; Misery, T2 R7 BKP WKR; and Sapling, T1 R7 BKP WKR, by Private and Special Law 1989, chapter 33, must be administered by the State for all purposes as if those portions were remaining in these respective townships, including, without limitation, the purposes of taxation and all other record keeping and reporting generally conducted on a township basis.

See title page for effective date.

CHAPTER 52

S.P. 683 - L.D. 1811

An Act to Annex the Town of Richmond to Lincoln County

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

Whereas, this legislation requires the Town of Richmond to conduct a town meeting and requires Lincoln County to hold a referendum in November of 1991; and

Whereas, pending approval of the voters, annexation of the Town of Richmond to Lincoln County is effective on January 1, 1992; and

Whereas, this legislation must be effective immediately in order to permit the timely conduct of these elections; 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. Annexation. The Town of Richmond is removed from Sagadahoc County and annexed to and made part of Lincoln County.

Sec. 2. Obligations to Sagadahoc County. The obligations of the town to Sagadahoc County, existing on the day this Act is approved by the Legislature, continue after the town is made part of Lincoln County. The indebtedness of the Town of Richmond to the County of Sagadahoc must be determined in a just and equitable manner by the commissioners of Sagadahoc County and the municipal officers of Richmond by March 15, 1992.

Sec. 3. Obligations to Lincoln County. All obligations of the Town of Richmond to Lincoln County begin and are prorated as of January 1, 1992.

Sec. 4. County seat. The Town of Wiscasset remains the county seat of Lincoln County.

Sec. 5. Referenda; effective date. This Act must be submitted to the legal voters of the Town of Richmond at the regular town meeting in 1991 or at a special town meeting called for that purpose within 120 days of the approval of this Act by the Legislature. That special town meeting must be called, advertised and conducted according to the law relating to municipal elec-

tions; provided, however, that the municipal officers of the town are not required to prepare for posting, nor the town clerk to post, a new list of voters and for the purpose of registration of voters the board of voter registration shall be in session on the secular day next preceding the special election. The town clerk of the town shall prepare the required ballot, on which the clerk shall reduce the subject matter of this Act to the following question:

“Shall the Town of Richmond be annexed to Lincoln County?”

The voters shall indicate by a cross or check mark placed against the words “Yes” or “No” their opinion of the same.

This Act is considered approved for the Town of Richmond upon its acceptance by a majority of the legal voters voting at the election; and further provided that the total number of votes cast for and against the acceptance of this Act equals or exceeds 20% of the total vote for all candidates for Governor cast in the town at the next previous gubernatorial election.

If the Town of Richmond approves this Act, it must be submitted to the legal voters of Lincoln County and Sagadahoc County in individual questions for each county at elections to be held on November 5, 1991. The Lincoln County Board of Commissioners may expend such funds as are necessary to implement the referenda in Lincoln County and the Sagadahoc County Board of Commissioners may expend such funds as are necessary to implement the referenda in Sagadahoc County.

The county clerk for each county shall prepare the required ballot, on which the clerk shall reduce the subject matter of this Act to the following question:

“Shall the Town of Richmond be annexed to Lincoln County?”

The voters shall indicate by a cross or check mark placed against the words “Yes” or “No” their opinion of the same.

Approval of this Act in each county requires a majority of the legal voters voting at the election in each county provided that the total number of votes cast for and against the acceptance of this Act in each county equals or exceeds 20% of the total vote for all candidates for Governor cast in that county at the next previous gubernatorial election.

If the Town of Richmond approves this Act and Lincoln County and Sagadahoc County approve this Act, the Act becomes effective January 1, 1992.

The result of the vote must be declared by the municipal officers of the Town of Richmond and due

certificate thereof must be filed by the town clerk with the Secretary of State. The results of the vote in Lincoln County must be declared by the Lincoln County Board of Commissioners and due certificate thereof must be filed by the county clerk with the Secretary of State. The results of the vote in Sagadahoc County must be declared by the Sagadahoc County Board of Commissioners and due certificate thereof must be filed by the county clerk with the Secretary of State.

Emergency clause. In view of the emergency cited in the preamble, section 5 of this Act takes effect when approved.

Effective pending referendum.

CHAPTER 53

S.P. 700 - L.D. 1870

An Act to Authorize Department of Transportation Bond Issues in the Amount of \$29,700,000 to Match Available Federal Funds for Improvements to Highways, State and Local Bridges, Airports, State Ferry Vessels and Harbors

Preamble. Two thirds of both Houses of the Legislature deeming it necessary in accordance with the Constitution of Maine, Article IX, Section 14, to authorize the issuance of bonds on behalf of the State of Maine to provide funds to match available federal funds for highway, bridge and airport improvements and ferry vessel construction.

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

Sec. 1. Authorization of bonds to provide for highway, bridge and airport improvements, ferry vessel construction and harbor improvements. The Treasurer of State is authorized, under the direction of the Governor, to issue bonds in the name and behalf of the State in an amount not exceeding \$29,700,000 to raise funds to match available federal funds for highway, bridge and airport improvements, ferry vessel construction and harbor improvements as authorized by section 6. The bonds are a pledge of the full faith and credit of the State. The bonds may not run for a period longer than 20 years from the date of the original issue of the bonds. At the discretion of the Treasurer of State, with the approval of the Governor, any issuance of bonds may contain a call feature.

Sec. 2. Records of bonds issued to be kept by the State Auditor and Treasurer of State. The State Auditor shall keep an account of the bonds, showing the number and amount of each, the date when payable and the date of delivery of the bonds to the Treasurer of State. The Treasurer of State shall keep an