

# MAINE STATE LEGISLATURE

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

**AS PASSED BY THE**  
**ONE HUNDRED AND FIFTEENTH LEGISLATURE**

**SECOND SPECIAL SESSION**  
December 12, 1991 to January 7, 1992

**SECOND REGULAR SESSION**  
January 8, 1992 to March 31, 1992

**THE GENERAL EFFECTIVE DATE FOR**  
**SECOND REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**JUNE 30, 1992**

**PUBLISHED BY THE REVISOR OF STATUTES**  
**IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,**  
**TITLE 3, SECTION 163-A, SUBSECTION 4.**

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**J.S. McCarthy Company**  
**Augusta, Maine**  
**1992**

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**PRIVATE AND SPECIAL LAWS**

**OF THE**

**STATE OF MAINE**

**AS PASSED AT THE**

**SECOND REGULAR SESSION**

**of the**

**ONE HUNDRED AND FIFTEENTH LEGISLATURE**

**1991**

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This Act takes effect upon its acceptance by a majority of the legal voters within the district voting at the special election. Failure of the approval by the necessary majority of voters at any such election does not prevent a subsequent election or elections from being held for that purpose.

**Sec. 17. Local referendum impact.** Notwithstanding the Maine Revised Statutes, Title 30-A, section 5684, additional costs, if any, imposed on any municipality by the provisions of this Act are not funded by the State.

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

Effective pending referendum.

## CHAPTER 104

**H.P. 1741 - L.D. 2429**

### **An Act to Authorize Construction on a Wharf in Long Lake at Naples**

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

**Whereas,** unless this legislation is enacted as an emergency measure, erection of a structure authorized in this Act may not be completed before the summer tourist season; 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 1931, c. 132, 2nd ¶,** first sentence is amended to read:

No building ~~shall~~ may be erected on ~~said the~~ wharf ~~and no part of the wharf shall extend above the level of the adjacent highway.~~

**Sec. 2. P&SL 1931, c. 132,** as amended by P&SL 1955, c. 143, is further amended by adding after the 2nd paragraph a new paragraph to read:

A structure may be erected on the wharf only if the person erecting the structure has prior approval by and the applicable permits from the municipal planning board and any state agency having jurisdiction; except that, after May 1, 1993, a new building or structure may

not be erected on the wharf and no part of the wharf may extend above the level of the adjacent highway.

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

Effective April 6, 1992.

## CHAPTER 105

**H.P. 1745 - L.D. 2433**

### **An Act to Clarify the Boundaries between the Towns of Howland and LaGrange and the Towns of Howland and Edinburg**

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

**Whereas,** the 90-day period will not terminate before the tax year begins on April 1; and

**Whereas,** the boundaries between Howland and LaGrange and Howland and Edinburg must be fixed so that the Town of Howland may issue the proper property taxes; 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. Boundary line between the Town of Howland and the Town of LaGrange.** The boundary line between the Town of Howland and the Town of LaGrange in Penobscot County is as follows:

Beginning at a large granite monument with chiseled markings "M""M""H""L" found at a point marking the common corner between the towns of Howland, LaGrange, Medford and Maxfield; said point of beginning also marking an angle point in the Penobscot-Piscataquis County line.

Thence S 11°41'15" E passing through intermediate monuments identified on the plan herein after referenced, a distance of 14,235.2 feet to a granite monument with aluminum disk marked in part "Town of Howland - Town of LaGrange Municipal Boundary" set at the southwest corner of the Town of Howland.

Bearings referenced herein are oriented to true north as determined by a survey of the above described boundary line depicted on a plan entitled "Survey Plan of the Mu-

nicipal Boundary between Town of Howland, Town of LaGrange, Penobscot County, Maine" dated January 22, 1992, prepared by Plisga & Day, Land Surveyors, to be recorded in the Penobscot County Registry of Deeds.

**Sec. 2. Boundary line between the Town of Howland and the Town of Edinburg.** The boundary line between the Town of Howland and the Town of Edinburg in Penobscot County and a continuation thereof between the Town of Howland and the Town of LaGrange in Penobscot County to the southwest corner of the Town of Howland is as follows:

Beginning at the center of the channel of the Penobscot River, which flows southerly between the Towns of Enfield and Passadumkeag on the east and the Towns of Howland and Edinburg on the west, which point of beginning is N 78°35'0" E, a distance of 500 feet, more or less, from a granite monument with an aluminum disk marked in part "Town of Howland - Town of Edinburg Municipal Boundary" set on the westerly bank of the Penobscot River; thence S 78°35'0" W, a distance of 500 feet, more or less, to the granite monument referenced above, said granite monument referenced above is further defined as being S 78°35'0" W, a distance of 983.0 feet from a disk, marked in part "Town of Enfield - Town of Passadumkeag," found set in the north end of Park Holland's "remarkable rock" located on the east shore of the Penobscot River.

Thence continuing on the same course, S 78°35'0" W, passing through other intermediate monuments identified on the plan herein after referenced, a distance of 30,906.7 feet to a granite monument with aluminum disk marked in part "Town of Howland - Town of LaGrange Municipal Boundary" set at the southwest corner of the Town of Howland.

Bearings referenced herein are oriented to true north as determined by a survey of the above described boundary line depicted on a plan entitled "Survey Plan of the Municipal Boundary between Town of Howland, Town of Edinburg, Town of LaGrange, Penobscot County, Maine" dated November 3, 1989, prepared by Plisga & Day, Land Surveyors, to be recorded in the Penobscot County Registry of Deeds.

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

Effective April 6, 1992.

## CHAPTER 106

S.P. 964 - L.D. 2437

### An Act to Amend the Charter of the Rangeley Water District

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

**Whereas,** the Town of Rangeley has held a vote on reestablishing the Rangeley Water District; and

**Whereas,** this legislation amends that section of law governing the selection of the first board of trustees; 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 1991, c. 72, §9, sub-§1** is repealed and the following enacted in its place:

**1. First board.** The municipal officers of the Town of Rangeley at a special meeting shall give notice of a special election of the Rangeley Water District, for the purpose of selecting the first board of trustees, by posting a notice at least 30 days prior to the date set for election. The notice must be posted in a conspicuous public place in the Town of Rangeley. The candidates for office of trustee shall obtain nomination papers from the Town Clerk of the Town of Rangeley, who is appointed especially to act as clerk in this particular instance. The nomination papers must be signed by not less than 10 nor more than 25 of the voters who reside in the district. The nomination papers must be filed with the clerk during business hours by the 10th day prior to the election day.

The voters of the district from the Town of Rangeley shall elect 5 initial trustees as the first board of trustees. The initial trustees must be elected by a plurality vote by the voters of the district.

As soon as convenient after its election, the first board of trustees shall hold a meeting at a convenient place in the district, to be called by any member of the board in writing designating the time and place. That notice must be delivered in hand to the other 4 members not less than 2 full days before the meeting, except that the trustees elected may meet by agreement without the notice and upon appropriate waiver. The terms of office of the members of the first board of trustees are established as follows: the 2 members receiving the greatest number of votes serve until the June 1995 town meeting; the 2 members receiving the next highest number of votes serve until the June 1994 town meeting; and the 5th member serves until the June 1993 town meeting. In the event of a tie vote, the terms of office of the members affected are determined by lot. Thereafter, trustees are