

# MAINE STATE LEGISLATURE

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

**AS PASSED BY THE**

**ONE HUNDRED AND EIGHTEENTH LEGISLATURE**

**SECOND REGULAR SESSION**  
**January 7, 1998 to March 31, 1998**

**SECOND SPECIAL SESSION**  
**April 1, 1998 to April 9, 1998**

**THE GENERAL EFFECTIVE DATE FOR**  
**SECOND REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**JUNE 30, 1998**

**SECOND SPECIAL SESSION**  
**NON-EMERGENCY LAWS IS**  
**JULY 9, 1998**

**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**  
**1997**

**Sec. 14. Emergency clause; referendum; effective date.** In view of the emergency cited in the preamble, this Act takes effect when approved only for the purpose of permitting its submission to the legal voters of the cities, towns and plantations described in section 1 of this Act at regular or special town and plantation meetings and city elections called and held for that purpose before June 30, 1999. Such city elections and town and plantation meetings must be called, advertised and conducted according to the law relating to municipal elections and meetings. The registrars of voters are not required to prepare, nor the clerks to post, new lists of voters. For the purpose of registration of voters, the registrars of voters must be in session on the secular day next preceding these regular or special meetings. The votes taken at town and plantation meetings must be by written ballot.

The municipal clerks shall reduce the subject matter of this Act to the following question:

"Do you favor approving the Act creating the Kennebec Regional Development Authority passed by the 118th Legislature, and (insert name of city, town or plantation) becoming a participating member of that authority?"

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

This Act takes effect immediately upon acceptance by the cities, towns and plantations so voting approval and having a combined state valuation of at least \$3,000,000,000; but only if the total number of votes cast for and against the acceptance of this Act at each of the city, town or plantation meetings approving this Act equals or exceeds 10% of the total votes for all candidates for Governor cast in that city, town or plantation at the next preceding gubernatorial election. Failure of approval by the necessary percentage of voters at any such meetings does not prevent a subsequent meeting or meetings to be held for those purposes on or before June 30, 1999. The result of the vote must be declared by the municipal officers of the cities, towns or plantations, and due certification thereof must be filed by the city, town or plantation clerks with the Secretary of State.

Effective pending referendum.

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## CHAPTER 80

H.P. 1652 - L.D. 2282

### An Act to Establish the Boundary between Harpswell and Brunswick

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

**Sec. 1. Boundary line between the Town of Brunswick and the Town of Harpswell.** The following line is hereby established as the boundary line between the Town of Brunswick and the Town of Harpswell: a certain line running from a point southeasterly of Mere Point, which is located in Brunswick, to a point just northerly of Bombazine Island, which is located in Harpswell, both towns being in the County of Cumberland, State of Maine, said line being more particularly described as follows.

Beginning at a point in the waters of Middle Bay, which point is located S 09° 50' 28" W at a distance of 2276.57 feet from a brass geodetic survey disk, depicted as point number 13 on a plan entitled "Plan Depicting the Proposed Town Line Between Brunswick & Harpswell", by Dirigo Land Services, Inc., to be recorded in three sheets in the Registry of Deeds for said County, hereinafter "Dirigo plan", said disk being found on the most southerly tip of said Mere Point, said point in the water being more or less occupied by a buoy.

Thence N 47° 29' 23" E passing between Mere Point Neck and Birch Island, a distance of 11175.11 feet to a point which is located S 46° 52' 49" W at a distance of 2,642.99 feet from a 3/8" rebar set, being point 17 on said Dirigo plan, flush in a drill hole in ledge at the northwesterly end of White's Island, so called.

Thence N 27° 49' 02" E passing between Mere Point Neck and said White's Island, a distance of 3246.81 feet to a point, which point is located N 21° 14' 38" W at a distance of 1142.71 feet from said 3/8" rebar on White's Island, being point 17 on said Dirigo plan.

Thence N 57° 10' 56" E a distance of 2750.00 feet to a point on the northerly end of Crow Island, so called, which point is located N 00° 01' 28" W at a distance of 711.19 feet from a like 3/8" rebar set, being point 18 on said Dirigo plan, in ledge on the southerly tip of said Crow Island.

Thence S 85° 22' 48" E a distance of 4836.23 feet to a point in Middle Bay, which point is located N 78° 47' 05" W at a distance of 1619.90 feet from a like 3/8" rebar set, being point 20 on said Dirigo plan, in ledge on Barnes Point on Harpswell Neck, so called.

Thence N 40° 00' 33" E a distance of 6067.65 feet to a point near the head of Middle Bay Cove, which point is located N 55° 00' 51" E at a distance of 3376.36 feet from a like 3/8" rebar set, being point 21 on said Dirigo plan, in ledge near the end of Pennellville Road in said Brunswick.

Thence S 68° 35' 48" E a distance of 650.02 feet to a point in said Cove.

Thence S 07° 53' 11" E a distance of 1353.11 feet to a point in a narrow inlet in said Cove.

Thence S 01° 01' 43" W a distance of 246.67 feet to a point at or near the shore on said Harpswell Neck, so called.

Thence S 12° 20' 20" E a distance of 470.69 feet to the base of a granite monument found on said Neck, said monument having its top broken off, said top bearing the inscription of "H" on one side, and "B" on the other, thence continuing S 12° 20' 20" E a distance of 963.77 feet to a point still on said Neck.

Thence N 76° 00' 42" E and running from land out into the waters of Middle Cove, so called, a distance of 1963.52 feet to a point, which point is located S 65° 17' 05" W at a distance of 1500.59 feet from a like 3/8" rebar set, being point 12 on said Dirigo plan, in ledge on the westerly shore of Prince Point in said Brunswick.

Thence S 38° 31' 49" E through said Middle Cove a distance of 820.89 feet to a point, which point is located S 33° 51' 31" W at a distance of 1528.84 feet from the last mentioned rebar in ledge, being point 12 on said Dirigo plan.

Thence S 13° 24' 54" W continuing down said Cove a distance of 1795.62 feet to a point, which point is located S 64° 27' 54" W at a distance of 1039.05 feet from a like 3/8" rebar set, being point 11 on said Dirigo plan, in ledge also on the westerly shore of said Prince Point.

Thence S 27° 19' 45" W continuing down said Cove a distance of 2003.49 feet to a point, which point is located N 53° 20' 50" W at a distance of 1183.84 feet from a like 3/8" rebar set, being point 9 on said Dirigo plan, in ledge at the most southwesterly tip of said Prince Point.

Thence S 25° 40' 04" E continuing down said Cove a distance of 954.61 feet to a point, which point is located S 74° 00' 25" W at a distance of 557.85 feet from said point 9 on said Dirigo plan.

Thence S 75° 58' 08" E passing between said tip on Prince Point and a small island lying southerly thereof, a distance of 626.26 feet to a point, which point is located S 13° 08' 17" E at a distance of 313.75 feet from said point 9 on said Dirigo plan.

Thence N 33° 35' 09" E passing between said tip of Prince Point and Doughty Point in said Harps

well, a distance of 1174.60 feet to a point, which point is located S 89° 43' 15" W at a distance of 390.19 feet from a like 3/8" rebar set, being point 8 on said Dirigo plan, in ledge on the Prince Point shore opposite the northerly tip of said Doughty Point.

Thence S 53° 05' 01" E a distance of 1699.30 feet to a point, which point is located S 14° 21' 06" E at a distance of 857.24 feet from a like 3/8" rebar set, being point 7 on said Dirigo plan, in ledge at the most southeasterly tip of said Prince Point.

Thence N 18° 07' 59" E a distance of 3470.60 feet to a point, which point is located S 73° 36' 02" W at a distance of 630.91 feet from a like 3/8" rebar set, being point 5 on said Dirigo plan, in ledge.

Thence N 46° 56' 51" E a distance of 1235.65 feet to a point, which point is located N 24° 06' 07" E at a distance of 728.96 feet from said point 5 on said Dirigo plan.

Thence N 12° 11' 58" E a distance of 1498.75 feet to a point, which point is located S 28° 01' 13" W at a distance of 1609.71 feet from a like 3/8" rebar set, being point 4 on said Dirigo plan, in ledge on the easterly shore of said Prince Point, near cottages accessed by Toad's Landing Road, so called.

Thence N 34° 56' 24" E a distance of 1801.11 feet to a point, which point is located N 78° 36' 48" E at a distance of 280.84 feet from the last mentioned 3/8" rebar near Toad's Landing Road, being point 4 on said Dirigo plan.

Thence S 84° 23' 37" E a distance of 903.89 feet to a point set in the traveled way of State Route 24 on the bridge from Brunswick to Harpswell.

Thence N 79° 58' 34" E through the waters of Gurnet Strait a distance of 2317.99 feet to a point, which point is located N 54° 13' 13" E at a distance of 616.84 feet from a like 3/8" rebar set, being point 2 on said Dirigo plan, in ledge on the northerly shore of Indian Rest in said Harpswell.

Thence N 43° 22' 00" E passing between Lower Coombs Island, so called, and Bombazine Island, so called, a distance of 3467.81 feet to a point in the New Meadows River, which point is located N 20° 39' 26" E at a distance of 1198.19 feet from a brass geodetic survey disk found, being point 1 on said Dirigo plan, at the most northerly tip of said Bombazine Island.

This description is based upon said Dirigo plan. The bearings herein refer to Grid North, NAD 83, and were established by GPS observation.

See title page for effective date.

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## CHAPTER 81

S.P. 867 - L.D. 2280

**An Act Authorizing Certain Debt of Hancock County for Construction of a New Jail and Courthouse Renovations and Ratifying Certain Action Taken by Hancock County in Connection with the Authorization of this Debt**

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

**Whereas,** Hancock County needs a new jail facility in order to ensure the safety and well-being of the inhabitants of Hancock County; and

**Whereas,** the need exists for renovations at the Hancock County Courthouse to comply with state mandates; and

**Whereas,** in Private and Special Law 1997, chapter 40, the Legislature authorized the county commissioners of Hancock County to borrow and expend a sum not to exceed \$6,000,000 for construction of a new county jail facility and courthouse renovations; and

**Whereas,** the voters of Hancock County approved and authorized the project, the borrowing and expenditure at a referendum election held on November 4, 1997; and

**Whereas,** certain technical questions have been raised concerning the submission of Private and Special Law 1997, chapter 40 to the legal voters of Hancock County for a referendum vote and the acceptance thereof by the voters pursuant to the referendum; and

**Whereas,** it is desirable that the county commissioners of Hancock County immediately are authorized to borrow a sum not to exceed \$6,000,000 for construction of a new county jail facility and courthouse renovation and to issue bonds or notes for this project in accordance with Private and Special Law 1997, chapter 40; 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. Authorization; ratification.** Notwithstanding Private and Special Law 1997, chapter 40, section 7 or any other provision of law, the county commissioners of Hancock County are authorized to borrow a sum not to exceed \$6,000,000 for construction of the new county jail facility and renovation of the courthouse located in Ellsworth and to issue bonds or notes for that purpose in accordance with Private and Special Law 1997, chapter 40. All action taken in connection with the authorization of borrowing and the acceptance of Private and Special Law 1997, chapter 40, at the referendum election held on November 4, 1997, is hereby ratified, confirmed, approved and adopted, and bonds or notes may be issued without the necessity of further proceedings or approval of the voters of Hancock County.

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

Effective April 3, 1998.

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