

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND NINETEENTH LEGISLATURE

FIRST REGULAR SESSION
December 2, 1998 to June 19, 1999

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 18, 1999

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
1999

Sec. 6. P&SL 1975, c. 53, §12 is amended to read:

Sec. 12. Electric works subject to Public Utilities Commission. Nothing herein contained is intended to repeal nor ~~shall~~ may be construed as repealing the whole or any part of any existing statute; and all rights and duties herein mentioned ~~shall~~ must be exercised and performed in accordance with all the applicable provisions of the Maine Revised Statutes, Title ~~35~~ 35-A as amended.

Sec. 7. P&SL 1975, c. 53, §14, first paragraph is amended to read:

Sec. 14. Duties of superintendent. Subject to any specific limitations imposed by the board of directors pursuant to section 9 ~~hereof~~, the superintendent ~~shall be~~ is responsible for the daily administration and operation of the electric works department.

See title page for effective date.

CHAPTER 8

S.P. 428 - L.D. 1265

An Act to Amend the Charter of the Tenants Harbor Standard Water District

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

Whereas, there are still a number of private wells in the Village of Tenants Harbor within the Town of St. George that are contaminated with hydrocarbons and this poses a serious threat to the health and well-being of the inhabitants of the area; and

Whereas, an adequate supply of pure water is essential to the health and well-being of the inhabitants of the Village of Tenants Harbor; 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 1997, c. 17, §1 is amended to read:

Sec. 1. Territorial limits; corporate name. Pursuant to the Maine Revised Statutes, Title

35-A, section 6403, subsection 1, paragraph B and subject to section 6, ~~that part those parts~~ of the Town of St. George described as follows: Beginning at a point at the intersection of the northern corner of Lot 42 of Map 2 of the Property Tax Maps of the Town of St. George, and the easterly edge of Sea Street, thence southeast along the northerly border of Lot 42 to the coast of the Atlantic Ocean, thence south and west along the coast to the intersection of the easterly edge of Route 131, thence westerly over Route 131 and along the waterway to the southwestern corner of Lot 135 of Map 2, thence westerly along the northern shore of the marsh bordering Lots 135, 134 ~~and~~, 132 and 124 of Map 2 and ~~lots~~ Lots 3 and 11 of Map 27 to the intersection with the southerly edge of Watts Avenue, thence westerly across Watts Avenue, 275 feet west into Lot 66 of Map 13, thence northerly across Lots 66, 67 and 68 of Map 13, running 275 feet north of and parallel to Watts Avenue, ~~Thence thence~~ continuing southeasterly across Lots 13 and 14 of Map 27, 275 feet north of and parallel to Watts Avenue to the westerly border of Lot 16 of Map 27, thence northerly to the intersection of the northwest corner of Lot 16 and the southwest corner of Lot 22, thence easterly along the southerly border of Lot 22 to the northwesterly corner of Lot 88 of Map 2, thence southeasterly to the westerly border of Lot 88-1 of Map 2, thence to the northwest corner of Lot 88-1, thence easterly along the northerly border of Lot 88-1 to the intersection of the northeasterly corner of Lot 88-1, and the westerly edge of Route 131, thence across Route 131, thence northerly along the easterly edge of Route 131 to the northwest corner of Lot 70 of Map 2, thence easterly along the northern borders of Lots 70, 77-2 and 76 of Map 2, to the intersection of the northerly edge of Spruce Lane, thence along Spruce Lane southerly and easterly along the southerly edge of Spruce Lane bordering Lots 77, 56, and 57 of Map 2, to the intersection of the westerly edge of Sea Street, thence diagonally in a straight line to the point at the beginning; and beginning at the point at the intersection of the southeast corner of Lot 16 of Map 28 of the property tax maps of the Town of St. George and Route 131, thence northerly along the western shore of the freshwater pond known as the "Marsh" to the northeast corner of Lot 76 of Map 11, thence westerly along the northern boundary of said Lot 76, thence southerly along the western boundary of said Lot 76, thence easterly along the southern boundary of said Lot 76 to the northwest corner of Lot 12 of Map 28, thence southerly along the western boundary of Lot 12 and Lot 11 of Map 28 to the northeast corner of Lot 8 of Map 28, thence westerly along the northern boundaries of Lots 8, 7, 6, 5, 4, 3, 2 and 1 of Map 28, thence southerly along the western boundary of Lot 1 of Map 28 to the northern edge of Wallston Road, thence along the northern edge of Wallston Road to a point opposite the northeast corner of Lot 74 of Map 11, thence crossing the Wallston Road to the northeast corner of Lot 74, Map 11, thence westerly

along the northern boundary of said Lot 74, thence southerly along the western boundary of said Lot 74 to Lot 1 of Map 12, thence westerly along the northern boundary of said Lot 1, thence southerly along the western boundary of Lots 1, 2 and 3 of Map 12 to the southwest corner of said Lot 3, thence easterly along the southern boundary of said Lots 3 and 2 to the southwest corner of Lot 4 of Map 12, thence northerly along the western boundary of said Lot 4, thence easterly along the northern boundary of said Lot 4, thence southerly along the eastern boundary of said Lot 4 to the southwest corner of Lot 42 of Map 28, thence in a straight line across Lots 5 and 6 of Map 12 to the northwest corner of Lot 41 of Map 28, thence southerly along the western boundary of said Lot 41, thence easterly along the southern boundary of said Lot 41, to the northwest corner of Lot 7 of Map 12, thence southerly along the western boundary of said Lot 7, thence easterly along the southern boundary of said Lot 7 to the western boundary of Lot 39 of Map 28, thence southerly along the western boundaries of said Lot 39 and Lots 1 and 3 of Map 29 to the northern boundary of Lot 9 of Map 12, thence easterly along the northern boundary of said Lot 9 to the western boundary of Route 131, thence southerly along the western boundary of Route 131 to a point opposite the southwestern corner of Lot 6 of Map 29, thence crossing Route 131 to the intersection of the southwestern corner of said Lot 6 and a stream that empties into the body of water known as Tenants Harbor, thence easterly along the stream to the body of water known as Tenants Harbor, thence easterly and northerly along the shore of Tenants Harbor and Ripley Creek to Route 131, thence crossing Route 131 to the point at the beginning; and its inhabitants constitute a standard district under the name "Tenants Harbor Standard Water District" and referred to in this Act as the "district."

Sec. 2. P&SL 1997, c. 17, §2 is amended by adding at the end a new paragraph to read:

The district is authorized to provide service to persons or entities located outside the territory of the district whose water sources are contaminated or potentially contaminated by hazardous substances provided that the cost of the extension of facilities to such persons or entities is funded by the State pursuant to the Maine Revised Statutes, Title 38, section 1364, subsection 5.

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

Effective April 16, 1999.

CHAPTER 9

H.P. 650 - L.D. 900

An Act to Reestablish the Municipal Boundary between Pownal and Durham

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

Sec. 1. Boundary Line. The boundary between the Town of Durham in the County of Androscoggin and the Town of Pownal in the County of Cumberland shall begin at a one inch diameter pipe monument set to replace a disturbed 5/8 inch diameter iron rod at the Northeasterly corner of the Town of Pownal incorporated March 3, 1808 described in the Public and General Laws of the Commonwealth of Massachusetts, 1808, chapter 79, and further described on a plan entitled "Standard Boundary Survey of the Durham, Freeport, Pownal Common Townline Corner" dated January 31, 1995 and revised on February 17, 1995 and on March 31, 1995, recorded in the Cumberland County Registry of Deeds in Plan Book 195 Page 123 and in the Androscoggin County Registry of Deeds in Plan Book 38 Page 141; thence N56°-09'-45"W, 16,918.3' passing through several intermediate monuments to a four inch by four inch by fourteen inch tall granite monument set with a 2 inch diameter brass disk marked "Durham Pownal Municipal Boundary..."; thence N56°-52'-45"W, 2849.3' passing through an intermediate monument, to an eleven inch by four inch by twenty-four inch tall granite monument found marked "D P 1841" on the Easterly bank of Chandler Brook, so called; thence N55°-39'-40"W, 1761.9' passing through an intermediate monument, to a twelve inch by twelve inch by eight inch by twelve inch tall granite monument found marked "D P 1834" on the Westerly side of the Runaround Pond Road, so called; thence N56°-06'-00"W, 3368.4' passing through 2 intermediate monuments to a six inch by six inch by fifteen inch tall granite monument with a three inch brass disk marked "Town of Durham Town of Pownal Municipal Boundary..." set on the westerly side of the Auburn Road, so called; thence N56°-09'-45"W, 1832.8' passing through an intermediate monument to a six inch by six inch by twenty-four inch tall granite monument with a 3 inch diameter brass disk marked "Town of Durham Town of Pownal Municipal Boundary..." set at or near the Southeasterly line of the Town of New Gloucester, the Town of Durham in the County of Androscoggin being on the Northeasterly side of said line and the Town of Pownal in the County of Cumberland being on the Southwesterly side of said line.

The bearings noted above are based on Grid North, Maine State Coordinate System of 1983, West Zone.