

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE

FIRST REGULAR SESSION
December 1, 2010 to June 29, 2011

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 28, 2011

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

Augusta, Maine
2011

Whereas, this legislation proposes a referendum to ratify changing the name of the unorganized territory referred to currently as Township 3, Range 9, NWP, and located in Penobscot County to Cedar Lake Township; and

Whereas, residents in the township receive mail by direct delivery to their mailboxes; and

Whereas, because of confusion with Canadian mail, the United States Postal Service does not allow for numbers to be used in the name of the township; and

Whereas, unless the name of the township is changed, the residents will not be able to receive mail in their mailboxes; 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. Cedar Lake Township. Wherever the designation Township 3, Range 9, NWP, appears or reference is made to that unorganized territory, that designation or reference means Cedar Lake Township.

Sec. 2. Referendum for ratification. This Act must be submitted to the legal voters residing in the unorganized territory of Township 3, Range 9, NWP, in Penobscot County. The date of the submission must be determined by the Penobscot County Board of Commissioners but may not be later than 6 months after adjournment of the First Regular Session of the 125th Legislature. The Penobscot County commissioners are authorized to expend such funds as necessary to implement the referendum.

The county commissioners shall cause the preparation of the required ballots, on which they shall state the subject matter of this Act in the following question:

"Do you favor changing the name of Township 3, Range 9, NWP, to Cedar Lake Township?"

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

The result of the election must be declared by the Penobscot County commissioners and due certificate filed with the Secretary of State.

Emergency clause; referendum; effective date. In view of the emergency cited in the preamble, this legislation takes effect when approved only for the purpose of permitting its submission to the legal voters

residing in the unorganized territory of Township 3, Range 9, NWP in Penobscot County at a special or regular town meeting or election no later than 6 months after adjournment of the First Regular Session of the 125th Legislature. The name change in section 1 takes effect upon its acceptance by a majority of the legal voters voting at the election.

Effective pending referendum, unless otherwise indicated.

CHAPTER 3

H.P. 40 - L.D. 47

An Act Directing the Department of Transportation To Allow a Break in Control of Access on William L. Clarke Drive in the City of Westbrook

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

Sec. 1. Allow an entrance through control of access on William L. Clarke Drive in the City of Westbrook. At the request of the owner of the parcel on Westbrook Tax Map 32, Lot 52, the Department of Transportation shall allow an entrance to be built on William L. Clarke Drive in the City of Westbrook on the condition that the owner assume all costs for the repayment of federal funds used by the Department of Transportation to acquire control of access on William L. Clarke Drive in the City of Westbrook and for environmental permitting for the break in control of access to be built on William L. Clarke Drive in the City of Westbrook. The break in control of access must be no more than 75 feet in width and located between station 35+00 and 43+00 on William L. Clarke Drive as shown on the Maine Department of Transportation right-of-way map, S.H.C. File Number 3-189 sheets 6 and 7, September 1968, for the parcel on Westbrook Tax Map 32, Lot 52.

See title page for effective date.

CHAPTER 4

H.P. 424 - L.D. 541

An Act To Clarify the Boundary between the Town of Cushing and the Town of Friendship, Town of Warren, Town of Thomaston and Town of Waldoboro

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

Sec. 1. Boundary between Town of Cushing and Town of Friendship, Town of Warren, Town of Thomaston and Town of Waldoboro.

The boundary between the Town of Cushing and the Town of Friendship, Town of Warren, Town of Thomaston and Town of Waldoboro is as follows: beginning in the thread of Saint George River at the point where the southeasterly bound of the Town of Thomaston meets the northeasterly bound of the Town of Cushing on a boundary line with the Town of South Thomaston that is located on the Maine Coordinate System of 1983 West Zone (MCSW) at approximately North 449630, East 3210906 and marked 'A' on a "TOWN LINE RETRACEMENT SURVEY for the TOWN OF CUSHING located in KNOX COUNTY in the State of MAINE" to be recorded at the Knox County Registry of Deeds; thence North 79°33'59" West one thousand five hundred (1,500) feet more or less to a one (1) inch iron rebar with four (4) inch aluminum cap engraved "Cushing/Thomaston Town Line 2010" set in ledge five (5) feet more or less westerly of the apparent mean high tide line of Saint George River (MCSW - North 449892.78, East 3209429.16) marked 'B' on the said survey plan and three (3) feet North 79°53'59" West of a one (1) inch brass property marker found set in ledge; thence North 79°53'59" West one thousand one hundred eight and four hundredths (1,108.04) feet to a one (1) inch iron rebar with four (4) inch aluminum cap engraved "Cushing/Thomaston Town Line 2010" set at the intersection of two stonewalls (MCSW - North 450087.10, East 3208338.30) marked 'C' on the said survey plan; then South 32°17'42" West four hundred sixty-three and twenty-six hundredths (463.26) feet to a one (1) inch iron rebar with four (4) inch aluminum cap engraved "Cushing/Thomaston Town Line 2010" set for a bound (MCSW - North 449695.52, East 3208090.81) marked 'D' on the said survey plan; thence North 78°42'47" West one thousand two hundred forty-four and fifty-two hundredths (1,244.52) feet to a one (1) inch iron rebar with four (4) inch aluminum cap engraved "Cushing/Thomaston Town Line 2010" set at the intersection of two stonewalls on the assumed easterly right of way line of River Road (MCSW - North 449939.10, East 3206870.36) marked 'E' on the said survey plan; thence North 33°59'56" East along the assumed easterly River Road right of way line four hundred seventy-three and four hundredths (473.04) feet to a one (1) inch iron rebar with four (4) inch aluminum cap engraved "Cushing/Thomaston Town Line 2010" set for a bound (MCSW - North 450331.28, East 3207134.87) marked 'F' on the said survey plan; thence North 78°31'48" West sixty-six and no hundredth (66.00) feet to a five inch by five inch (5"x5") granite monument found at the assumed westerly right of way line of River Road (MCSW - North 450344.41, East 3207070.19) marked 'G' on the said survey plan;

thence continuing North 78°31'48" West one thousand four hundred thirty-seven and fourteen hundredths (1,437.14) feet passing through a three quarter (3/4) inch rebar property pin to a one (1) inch iron rebar with four (4) inch aluminum cap engraved "Cushing/Thomaston Town Line 2010" set at approximately twenty-eight (28) feet easterly of the apparent mean high tide line of Saint George River (MCSW - North 450630.19, East 3205661.75) marked 'H' on the said survey plan; thence continuing North 78°31'48" West three hundred twenty-nine and fifty-eight hundredths (329.58) feet passing through a three quarter (3/4) inch rebar property pin to a point in Saint George River where the southwest bound of the Town of Thomaston meets the southeast bound of the Town of Warren on the boundary line of the Town of Cushing (MCSW - North 450695.72, East 3205338.75) marked 'I' on the said survey plan; thence South 78°09'51" West seven hundred thirty-eight and forty-seven hundredths (738.47) feet to a five inch by five inch (5"x5") granite monument found approximately sixty (60) feet west of the apparent mean high tide line of Saint George River (MCSW - North 450544.25, East 3204615.98) marked 'J' on the said survey plan; thence continuing South 78°09'51" West two thousand two hundred twenty-three and twenty-three hundredths (2,223.23) feet to a one (1) inch iron rebar with four (4) inch aluminum cap engraved "Cushing/Warren Town Line 2010" set approximately fifty (50) feet easterly of the easterly edge of pavement of the Spear Mill Road (MCSW - North 450088.25, East 3202440.02) marked 'K' on the said survey plan; thence continuing South 78°09'51" West one thousand three hundred ninety-seven and no hundredths (1,397.00) feet to a one (1) inch iron rebar with four (4) inch aluminum cap engraved "Cushing/Warren Town Line 2010" set approximately fifty (50) feet easterly of the easterly edge of pavement of the Cushing Road (Route 97) (MCSW - North 449801.71, East 3201072.72) marked 'L' on the said survey plan; thence continuing South 78°09'51" West ten thousand twenty-three and no hundredths (10,023.00) feet to a one (1) inch iron rebar with four (4) inch aluminum cap engraved "Cushing/Warren Town Line 2010" set approximately three (3) feet westerly of the westerly edge of an abandoned road that is the extension of the roadway leading westerly from Route 97 in Warren just northerly of the Maine State Prison Farm (Bolduc Unit) across prison property by the rifle range and apple orchard and southerly across property now or formerly of Cyrus Holmes back to Route 97, also located approximately one thousand seventy (1070) feet easterly of Far Meadow Brook (MCSW - North 447745.89, East 3191262.82) marked 'M' on the said survey plan; thence continuing South 78°09'51" West one thousand seven hundred fifty-three and sixty-three hundredths (1,753.63) feet to a one (1) inch iron rebar with four (4) inch aluminum cap engraved "Cushing/Warren Town Line 2010" set approximately eighty (80) feet easterly of a small

brook that leads southeasterly into Far Meadow Brook and approximately seven hundred (700) feet westerly, as measured along the Town Line, of Far Meadow Brook (MCSW - North 447386.20, East 3189546.47) marked 'N' on the said survey plan; thence continuing South 78°09'51" West four thousand three hundred twenty-one and sixty-eight hundredths (4,321.68) feet to a 10 inch by 10 inch (10"x10") granite monument inscribed with letters 'W', 'W', and 'C' and 1896 found at the southwesterly bound of the Town of Warren and the northwesterly bound of the Town of Cushing at a point on the easterly boundary of the Town of Waldoboro (MCSW - North 446499.78, East 3185316.68) marked 'O' on the said survey plan; thence South 0°45'26" East seven hundred ninety-two and six hundredths (792.06) feet to a one (1) inch iron rebar with four (4) inch aluminum cap engraved "Cushing/Friendship/Waldoboro Town Line 2010" set in place of a loose and badly bent iron pipe found in a pile of stones (MCSW - North 445707.79, East 3185327.15) marked 'P' on the said survey plan; thence South 0°54'15" East eight thousand seven hundred forty-four and twenty-three hundredths (8,744.23) feet to a one (1) inch iron rebar with four (4) inch aluminum cap engraved "Cushing/Friendship Town Line 2010" set approximately six (6) feet southerly of the southerly edge of pavement of the Colonel Stairs Road (MCSW - North 436964.64, East 3185465.15) marked 'Q' on the said survey plan; thence continuing South 0°54'15" East two thousand one hundred eighty-six and no hundredths (2,186.00) feet to a five inch by five inch (5"x5") granite monument found (MCSW - North 434778.92, East 3185499.65) marked 'R' on the said survey plan; thence South 54°58'22" East five hundred fifty-one and twenty-eight hundredths (551.28) feet to a five inch by five inch (5"x5") granite monument found five (5) feet easterly of the easterly edge of pavement of Cushing Road (Route 97) (MCSW - North 434462.50, East 3185951.08) marked 'S' on the said survey plan; thence South 62°20'09" East one thousand forty-nine and forty-two hundredths (1,049.42) feet to a one (1) inch iron rebar with four (4) inch aluminum cap engraved "Cushing/Friendship Town Line 2010" set approximately twelve (12) feet westerly of the westerly edge of Meduncook River (MCSW - North 433975.27, East 3186880.53) marked 'T' on the said survey plan; thence continuing South 62°20'09" East twenty (20) feet more or less to the thread of Meduncook River (MCSW - approximately North 433969, East 3186892) marked 'U' on the said survey plan; thence following the irregular thread of Meduncook River Southerly seven (7) miles more or less to its intersection with the thread of Saint George River Southerly of Gay Island (MCSW - approximately North 400231, East 3175204) marked 'V' on the said survey plan; thence following the irregular thread of Saint George River Northeasterly twelve (12) miles more or less to the point of beginning.

Sec. 2. Municipal officers. The municipal officers of the Town of Cushing, Town of Friendship, Town of Warren, Town of Thomaston and Town of Waldoboro must sign the plotted plan as described in section 1 before it is filed with the Registry of Deeds.

See title page for effective date.

CHAPTER 5

H.P. 754 - L.D. 1018

An Act To Amend the Charter of the Anson Water District

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

Sec. 1. P&SL 1915, c. 200, §1, as amended by P&SL 2005, c. 51, §1, is further amended to read:

Sec. 1. Anson Water District created; purposes; territory. The following described territory and the inhabitants within the same constitute a body politic and corporate under the name of the Anson Water District, for the purpose of supplying the inhabitants of the district with pure water for domestic, sanitary and municipal purposes, to wit: So much of the Town of Anson, in Somerset County, as is described as follows:

Starting at the intersection of New Portland Road and the Anson town line bordering the Town of Embden; thence in a southeasterly direction along New Portland Road to a point ~~69°55'12.66"W, 44°52'27.82"N~~ 44°51'32.58"N; thence in a southwesterly direction to a point ~~69°55'27.95"W, 44°49'7.33"N~~ 69°55'28.44"W, 44°49'6.98"N; thence in a southerly direction to the intersection of Pease Hill Road and West Mills Road; thence in a southwesterly direction along West Mills Road to the intersection of West Mills Road and Mayhew Road; thence in a southerly direction along Mayhew Road to the intersection of Mayhew Road and the Anson town line bordering the Town of Starks; thence in a northeasterly direction along the Anson town line to the border of the Town of Madison; thence in a northerly direction along the Anson town line bordering the Town of Madison to the corner of the Anson town line bordering the Town of Embden and the Town of Solon; thence in a southwesterly direction along the Anson town line to the starting point.

Sec. 2. P&SL 1915, c. 200, §6, as amended by P&SL 2005, c. 51, §3, is repealed and the following enacted in its place: