

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

One Hundred and First Legislature

OF THE

STATE OF MAINE

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PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the One Hundred and First Legislature

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'No authority shall enter into any contract for loans, grants, contributions or other financial assistance with the Federal Government for any project unless or until the governing body of its city, after referendum duly held thereon, and a majority of the voters voting, having voted in favor thereof, or the annual meeting of its town, as the case may be, shall, by resolution duly adopted, have approved its entering into such contract, provided that nothing contained in this or the succeeding paragraphs of this section shall require the holding of a referendum to authorize the housing authority of any city or town to enter into any contract for loans, grants, contributions or other financial assistance with the Federal Government for the rehabilitation, alteration or repairs of any housing project already existing and in operation on the date of such contract.'

Sec. 161. P. & S. L., 1929, c. 77, § 9, amended. Section 9 of chapter 77 of the private and special laws of 1929, as amended by section 5 of chapter 106 of the private and special laws of 1963, is further amended to read as follows:

'**Sec. 9. Inconsistent acts repealed.** Chapter 85, private and special laws of 1923 ~~chapter 77, private and special laws of 1929~~ and chapter 27, private and special laws of 1931 and all other acts and parts of acts inconsistent herewith are hereby repealed.'

Sec. 162. Effective date. Section 161 shall become effective 91 days after adjournment of the Legislature.

Sec. 163. R. S., c. 20-A, § 10, amended. The first sentence of section 10 of chapter 20-A of the Revised Statutes, as enacted by section 1 of chapter 394 of the public laws of 1961 and as repealed and replaced by section 13 of chapter 412 of the public laws of 1963, is amended to read as follows:

'The rules of evidence as applied in the trial of civil cases in the ~~Superior Court~~ State shall be observed whenever practicable except that this section shall not apply to hearings under chapter 61.'

Sec. 164. Effective date. Section 163 shall become effective 91 days after adjournment of the Legislature.

Effective September 21, 1963

Chapter 415

AN ACT Creating an Allagash River Authority for State of Maine.

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

Sec. 1. R. S., c. 35-B, additional. The Revised Statutes are amended by adding a new chapter 35-B, to read as follows:

Chapter 35-B.

Allagash River Authority.

Sec. 1. Policy. It is declared to be the policy of the State of Maine to provide for the preservation of the natural beauty and wilderness character of the Allagash River Watercourse while utilizing the natural economic resources of the watercourse.

Sec. 2. Definitions. The following terms as used in this chapter are defined as follows:

I. Agreements. "Agreements" includes leases, easements, cooperative agreements, gifts and options for purchase of land or the development rights to land.

II. Authority. "Authority" means the Allagash River Authority established under this chapter.

III. Development rights. "Development rights" means the right to construct buildings or improvements on land and the right to lease such constructed buildings or improvements to any person, corporation or governmental authority. The term shall not be applied to prohibit the cutting and harvesting of timber or removal of minerals and shall not be applied to restrict the exercise of those rights commonly known as flowage and driving rights as they may now exist.

Sec. 3. Allagash River Authority. There is created the Allagash River Authority to administer this chapter. The authority shall consist of 5 members, viz: The Forest Commissioner, the Director of State Parks and Recreation, the Commissioner of Inland Fisheries and Game, the Director of the School of Forestry at the University of Maine and the Attorney General. The members of the authority shall elect a chairman who shall preside at all meetings of the authority when present. The authority shall meet as often as necessary, at such times and places as the chairman may designate. Any 3 members shall constitute a quorum for the transaction of the business of the authority. The Forestry Department, State Park and Recreation Commission, Department of Inland Fisheries and Game and Department of Attorney General shall cooperate with the authority in the administration of its duties. The members of the authority shall serve without compensation.

Sec. 4. Allagash Advisory Committee. An advisory committee consisting of 7 members shall be appointed by the Governor, with the advice and consent of the Council, who shall serve until the termination of the authority. A vacancy shall be filled for the unexpired term in the same manner in which a regular appointment is made. The members of the advisory committee shall receive no compensation for their services. The advisory committee shall meet upon the call of the chairman of the authority. The committee shall render to the authority information and advice concerning the administration of the authority.

Sec. 5. Duties of the authority. The authority shall formulate plans and proposals for preserving the Allagash River Watercourse so that the people of

the State and its visitors may be assured of the continued opportunity to enjoy the benefits of the Allagash River Watercourse as a place of natural interest and scenic beauty. The duties and functions of the authority shall include, but not be restricted to, the following:

I. Examination. Examine the Allagash River Watercourse in order to determine those features that should be preserved.

II. Negotiation. Negotiate tentative agreements between the landowners along the Allagash River Watercourse and the State of Maine to assure people of the continued opportunity to enjoy the benefits and scenic beauty of the Allagash.

III. Consultation. Consult with and seek the advice of conservation and naturalist groups in the planning and development of the watercourse.

IV. Rules and standards. Formulate rules and standards for the use, maintenance and operation of the Allagash River Watercourse.

Sec. 6. Tentative agreements. The authority, in the name of the State, shall enter into tentative agreements with the landowners in respect to lands, interest in land, leases, cooperative agreements, agreements and development rights, consistent with the policy and provisions of this chapter. Tentative agreements shall be entered into under such terms and subject to such conditions and restrictions as the authority, after consultation with the advisory committee, may determine.

Sec. 7. Approval by Legislature. The plans, proposals, rules and standards for the use, maintenance and operation of the Allagash River Watercourse and the tentative agreements shall all be subject to the final approval of the 102nd Legislature or subject to the approval of any prior special session of the 101st Legislature.

Sec. 8. Construction. Nothing in this chapter shall be construed to impair the authority of any public body, heretofore or hereafter created by the Legislature, in the exercise of the powers granted to any such public body.

Sec. 2. Expiration date. In the event the 102nd Legislature, or the 101st Legislature meeting in special session, shall not take action to approve the tentative agreements referred to in this act, then this act shall terminate June 30, 1965, unless otherwise extended by legislative action.

Effective September 21, 1963

Chapter 416

AN ACT Relating to Loans by Washington County.

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

Sec. 1. R. S., c. 89, § 29, amended. Section 29 of chapter 89 of the Revised Statutes, as amended by section 1 of chapter 442 of the public laws of 1957, is further amended to read as follows: