

# MAINE STATE LEGISLATURE

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# ACTS AND RESOLVES

AS PASSED BY THE

One Hundred and Second 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**  
AT THE  
**SPECIAL SESSIONS**

January 6-17, 1964

September 28-30, 1964

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additional revenue producing municipal facility or part thereof, or any improvements, extensions or enlargements of any revenue producing municipal facility. The issuance of such bonds, the maturities and other details thereof, the rights and remedies of the holders thereof, and the rights, powers, privileges, duties and obligations of the municipality and the municipal officers with respect to the same, shall be governed by the foregoing provisions of sections 15-A to 15-I insofar as the same may be applicable.

Sec. 15-K. Authorizing resolution. Notwithstanding any other law, either general, special or local, or any charter or charter amendment theretofore adopted by such municipality, or any ordinance, resolution, bylaw, rule or regulation of such municipality, it shall not be necessary to publish any resolution adopted under sections 15-A to 15-O, either before or after its final passage.

Sec. 15-L. Exemption from taxation. As proper revenue producing municipal facilities as defined are essential for the health of the inhabitants of the municipalities, and as the exercise of the powers conferred to effect such purposes constitute the performance of essential municipal functions, and as municipal facilities acquired or constructed under sections 15-A to 15-O constitute public property and are used for municipal purposes, no municipality shall be required to pay any taxes or assessments upon any such system or any part thereof, whether located within or without the corporate limits of the municipality, or upon the income therefrom, and any bonds issued under sections 15-A to 15-O, and their transfer and the income therefrom, including any profit made on the sale thereof, shall at all times be free from taxation within the State.

Sec. 15-M. Alternative method. Sections 15-A to 15-L shall be deemed to provide an additional and alternative method for the doing of the things authorized and shall be regarded as supplemental and additional to powers conferred by other laws, and shall not be regarded as in derogation of or as repealing any powers now existing under any other law, either general, special or local; provided the issuance of revenue bonds or revenue refunding bonds under said sections need not comply with the requirements of any other general or special law applicable to the issuance of bonds.

Sec. 15-N. Liberal construction. Sections 15-A to 15-O, being necessary for the welfare of the municipalities and their inhabitants, shall be liberally construed to effect the purposes thereof.

Sec. 15-O. Provisions of act severable. The provisions of sections 15-A to 15-O are severable, and if any provisions of said sections shall be held unconstitutional by any court of competent jurisdiction, the decision of such court shall not affect or impair any of the remaining provisions or sections.

Emergency clause. In view of the emergency cited in the preamble, this act shall take effect when approved.

Effective January 17, 1964

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## Chapter 436

### AN ACT Relating to Detention by Counties and Municipalities of Persons Arrested by Law Enforcement Officers.

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

Whereas, arrest and detention of persons alleged to have committed crimes is a statutory responsibility of state law enforcement officers; and

Whereas, there is no statutory provision for the detention of such persons; and

Whereas, the following legislation is vitally necessary to prevent confusion and a possible breakdown of law enforcement; 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:*

**R. S., c. 15, § 2, amended.** Section 2 of chapter 15 of the Revised Statutes, as amended, is further amended by adding at the end 2 new paragraphs, as follows:

‘Municipal and county jails shall at all times be available for detention of persons arrested by state or any other law enforcement officers. In those municipalities where full-time supervision of the jail is not provided by the municipality, full responsibility for the safekeeping and welfare of such person detained shall rest solely with such arresting officer. Expense of any municipality or any damage to the jail resulting from the use of its jail by such officers shall be reimbursed to the municipality by the law enforcement agency for which the arresting officer is acting.

County commissioners of all the several counties are authorized to provide and pay for liability insurance protection for the keeper of the county jail.’

**Emergency clause.** In view of the emergency cited in the preamble, this act shall take effect when approved.

Effective January 17, 1964

## Chapter 437

### AN ACT Providing for Approval of Legislature for Expenditure of Bond Proceeds for Pollution Abatement Facilities.

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

**Sec. 1. Expenditure of bond proceeds.** All proceeds of the sale of bonds for the construction and equipment of pollution abatement facilities to be expended under the direction and supervision of the Water Improvement Commission shall be segregated, apportioned and expended as provided by the Legislature.

**Sec. 2. Repealing and amending clause.** All Acts and resolves or parts thereof inconsistent herewith are hereby repealed or amended to conform to this Act.

Effective December 30, 1964

Director's note: Repealed by P. L., 1965, c. 425, § 25.

Reenacted by P. L., 1965, c. 425, § 24.