

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

One Hundred and Fifth Legislature

OF THE

STATE OF MAINE

Published by the Director of Legislative Research in accordance with  
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THE KNOWLTON AND MCLEARY COMPANY  
FARMINGTON, MAINE  
1971

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PRIVATE and SPECIAL LAWS

OF THE

STATE OF MAINE

AS PASSED BY THE

One Hundred and Fifth Legislature

1971

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## Chapter 101

### AN ACT Relating to Maine Department, The American Legion.

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

**Maine Department, The American Legion.** The unincorporated, nonprofit fraternal benefit society known as "Maine Department, The American Legion" is hereby granted permission to use the word "Maine" in its name when it is organized as a nonstock, nonprofit corporation under Title 13, chapter 18, Maine Revised Statutes and amendments thereto.

Effective September 23, 1971

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## Chapter 102

### AN ACT to Amend the Ogunquit Village Corporation Charter to Equitably Allocate School and Other Common Costs with the Town of Wells.

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

**P. & S. L., 1913, c. 203, § 5, repealed and replaced.** Section 5 of chapter 203 of the private and special laws of 1913, as last repealed and replaced by chapter 58 of the private and special laws of 1961, is repealed and the following enacted in place thereof:

#### Sec. 5. Method of raising and apportioning common costs.

1. **Annual meeting.** During the month of March of each year, commencing in the year 1972, the inhabitants of said corporation shall hold an annual meeting for the purposes of determining what amounts of money shall be necessary to be raised and appropriated for the operation of the municipal functions assigned to said corporation.

2. **Cost of municipal functions; payment.** On or before April 1st of each year, commencing in the year 1972, the overseers of said corporation shall forward to the selectmen of the Town of Wells the total amount of money that the inhabitants of the corporation have determined to be required to operate the municipal functions of the corporation for that year.

3. **Common costs.** On or before April 1st of each year, commencing in the year 1972, the selectmen of the Town of Wells shall ascertain the specific amounts of money which have been specifically appropriated by the Town of Wells at its annual town meeting for (1) the operation and maintenance of the educational system of the Town of Wells; (2) the principal payments of any bonds which have been issued for the construction of educational facilities in the Town of Wells; (3) the interest to be paid on any outstanding bonds issued for construction of educational facilities in the Town of Wells; (4) the amount necessary to operate the office of the board of assessors of the Town of Wells; (5) the amount necessary to operate the office of town clerk of the Town of Wells; (6) the amount necessary to carry out any health and welfare

program in the Town of Wells; (7) the amount of the county tax; and (8) the overlay. When these sums have been determined, they shall be totaled and they shall be known as the total common costs, and these common costs shall be levied upon all of the real estate located in the Town of Wells, including that located within the Ogunquit Village Corporation. This amount shall be separately stated on all tax bills that are sent to the inhabitants of the Town of Wells.

4. Additional costs; village corporation. In addition to the common costs which have been previously determined, the assessors of the Town of Wells shall, in levying the real estate taxes on the real estate within the area of the Ogunquit Village Corporation, add to the common costs the amount that has been duly certified to them by the overseers of said corporation. The amount of this tax shall be separately stated. The entire tax shall be totaled and computed on each tax bill.

5. Noncommon costs; Town of Wells. In addition to the common costs which have been previously determined, the selectmen of the Town of Wells shall determine from the appropriations made at the annual town meeting of the Town of Wells, the Town of Wells noncommon charges. When these sums have been determined, they shall be totaled and they shall be known as the total noncommon costs of the Town of Wells. The assessors shall add to the common costs the amount of noncommon charges as determined. The amount of this tax shall be separately stated. The entire tax shall be totaled and computed on each tax bill. The total tax so computed under this section shall be levied on the inhabitants' land and buildings within the Town of Wells, excluding the inhabitants' land and buildings located within the Ogunquit Village Corporation.

6. Payment to Town of Wells. One-fourth of the amount certified by the overseers of the Ogunquit Village Corporation to the Town of Wells shall be paid on or before May 15th of each year, and  $\frac{1}{4}$  of said amount shall be paid on or before July 15th of each year, and the balance of that amount shall be paid on or before December 15th of each year. Said corporation shall have no duty with regard to the collection of taxes, and the obligation of the Town of Wells to said corporation is the amount so certified and shall be absolute.

7. Common and noncommon costs; division of. It is the intention of the Legislature that the common costs as defined herein shall be borne by the inhabitants and the land and buildings located within the Town of Wells as an entity, that no part of the costs of operating the Ogunquit Village Corporation shall be borne by the other inhabitants of the Town of Wells, and conversely, no part of the operation of the Town of Wells which is denominated a noncommon charge shall be borne by any of the inhabitants of the Ogunquit Village Corporation.

8. Payment of automobile excise taxes. The Town of Wells shall pay to the Ogunquit Village Corporation 75% of the automobile excise taxes collected by said town from the residents of the Ogunquit Village Corporation. The payment of the amounts due shall be on the same schedule as set forth in subsection 6. The payment shall be in addition to the payments set forth in subsection 6.