

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND EIGHTH LEGISLATURE

FIRST REGULAR SESSION

January 5, 1977 to July 25, 1977

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH IN
ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 164, SUBSECTION 6.

PORTLAND LITHOGRAPH COMPANY
PORTLAND, MAINE
1977

PRIVATE AND SPECIAL LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

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ONE HUNDRED AND EIGHTH LEGISLATURE

1977

Sec. 4. Town required to be a member of the Maine Forestry District. After the effective date of this Act, the Town of Caratunk shall be required to be a member of the Maine Forestry District.

Sec. 5. Referendum; effective date; certificate to Secretary of State. This Act shall take effect 90 days after adjournment of the Legislature, only for the purpose of permitting its submission to the legal voters within the territory embraced within the limits of said proposed Town of Caratunk, voting by ballot at an election, to be specially called and held for that purpose concurrent with the regular 1977 election in November. This meeting shall be called, advertised and conducted according to Title 30, sections 2061 to 2065. The plantation clerk shall prepare the required ballots, on which he shall reduce the subject matter of sections 1 and 3 of this Act to the following question: "Shall 'An Act converting Caratunk Plantation into the Town of Caratunk,' passed by the First Regular Session of the 10⁰th Legislature, be accepted?" The voters shall indicate by a cross or check mark placed against the words "Yes" or "No" their opinion of the same. Upon its acceptance by a majority of the legal voters voting at said meeting, sections 1 and 3 of this Act shall take effect for all purposes hereof at the annual meeting in 1978; provided that the total number of votes cast for and against the acceptance of sections 1 and 3 of this Act at said meeting equaled or exceeded 50% of the total number of votes cast in the plantation at the last gubernatorial election.

The result of the vote shall be declared by the board of assessors of Caratunk Plantation and due certificate shall be filed by the plantation clerk with the Secretary of State.

Effective October 24, 1977

CHAPTER 20

AN ACT to Repeal Fishing Regulations on the Pemaquid River.

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

Whereas, the lobster fishing season will be starting shortly in this area; and

Whereas, the limitation of fishing would be detrimental to the local fishing industry and should be immediately removed; 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 1959, c. 155, § 71 is repealed.

Sec. 2. Marine species regulation; Pemaquid River. The Commissioner of Marine Resources shall make no regulations that apply specifically and uniquely to the Pemaquid River, except regulations to protect the rights and privileges of the Town of Bristol in the alewife fishery. This prohibition shall not limit the commissioner's authority to make general regulations regarding the time, method, number, weight, length and condition under which marine species may be taken from any coastal waters, nor his authority to limit the taking of marine species in order to safeguard and protect the public health and safety; provided the regulations shall not abridge nor affect in any manner, the rights and privileges now held by law by the Town of Bristol to take alewives from this river.

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

Effective April 13, 1977

CHAPTER 21

AN ACT to Amend the Charter of the Belfast and Moosehead Lake Railroad.

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

Whereas, the Belfast and Moosehead Lake Railroad, a corporation created specially by charter approved by the Legislature in 1867, has recently been granted federal moneys to upgrade and improve its equipment; and

Whereas, it is questionable as to whether or not the Belfast and Moosehead Lake Railroad has sufficient corporate authority to lease equipment in order to effectively utilize the federal loan approved by the Federal Government in conjunction with the approval of the Department of Transportation of the State of Maine; and

Whereas, it is vitally necessary that the following legislation be enacted in order to properly utilize federal funding already approved so as to maintain essential railroad services of the Belfast and Moosehead Lake Railroad; 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:

P & SL 1867, c. 380, § 5, 1st sentence, is amended to read:

The president and directors for the time being are hereby authorized and empowered by themselves or their agents, to exercise all the powers herein