

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE

ONE HUNDRED AND EIGHTH LEGISLATURE
AT THE

SECOND REGULAR SESSION

January 4, 1978 to April 6, 1978

FIRST SPECIAL SESSION

(No laws enacted)

September 6, 1978 to September 15, 1978

SECOND SPECIAL SESSION

October 18, 1978

THIRD SPECIAL SESSION

December 6, 1978

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1979

PRIVATE AND SPECIAL LAWS
OF THE

STATE OF MAINE

AS PASSED AT THE

SECOND REGULAR SESSION

of the

ONE HUNDRED AND EIGHTH LEGISLATURE

January 4, 1978 to April 6, 1978

CHAPTER 86**AN ACT to Increase the Limits of Authorized Indebtedness of the Brunswick Sewer District.**

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

Whereas, it is the purpose of this Act to increase the authorized indebtedness of the Brunswick Sewer District by \$1,500,000; and

Whereas, in order to properly carry out the statutory duties imposed on it by charter, it is vital that the authorized indebtedness of the Brunswick Sewer District be increased as soon as possible to \$3,500,000; 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P&SL 1947, c. 77, § 7, 1st sentence, as last repealed and replaced by P&SL 1967, c. 80, is amended to read:

For accomplishing the purposes of this Act, said district, by resolutions of its board of trustees, is authorized to borrow money temporarily, and to issue therefor its negotiable notes, and for the purpose of renewing or refunding the indebtedness so created, of paying any necessary expenses and liabilities incurred under this Act in acquiring properties, paying damages, laying sewers, drains and conduits, constructing, maintaining and improving the same and sewage treatment and disposal plants and a sewer system, and to cover interest payments during the period of construction, said Brunswick Sewer District, by resolutions of its board of trustees is authorized to issue, from time to time, bonds, notes or other evidences of indebtedness of the district in one series or in separate series, in such amount or amounts, bearing interest at such rate or rates, and having such terms or provisions as the trustees shall determine, provided that the total indebtedness of said district at any time outstanding shall not exceed the sum of ~~\$2,000,000~~ \$3,500,000.

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

Effective January 31, 1978

CHAPTER 87**AN ACT Converting Beaver Cove Plantation into the Town of Beaver Cove.**

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

Whereas, the voters of Beaver Cove Plantation are desirous of holding a referendum to determine whether Beaver Cove Plantation should be converted into the Town of Beaver Cove; and

Whereas, it is desirable for the residents to vote on this matter at a meeting to be held in March, 1978; 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. Town of Beaver Cove incorporated. Beaver Cove Plantation, with its inhabitants, is incorporated into a town by the name of Beaver Cove. The inhabitants of that town are vested with the powers, privileges and immunities which the inhabitants of towns within the State do or may enjoy. The town hereby created shall take the effects belonging to Beaver Cove Plantation and shall also assume all of its obligations.

Sec. 2. Removal from forestry district. The Town of Beaver Cove shall be removed from the Maine Forestry District and shall not be liable for any tax levied because of inclusion within that district.

Sec. 3. Legislative district. Until the next legislative apportionment of Representatives, the Town of Beaver Cove shall remain in the same legislative district in which Beaver Cove Plantation is now classed.

Sec. 4. First meeting; how called. The board of assessors of the plantation shall issue their warrant, in accordance with the general laws, for an annual meeting to be held in March, 1978. Notification of this meeting shall be filed by the plantation clerk with the Secretary of State for determining the effective date of sections 1, 2 and 3.

Sec. 5. Referendum; effective date; certificate to Secretary of State. This Act shall be submitted to the legal voters within the territory embraced within the limits of the proposed Town of Beaver Cove voting by ballot at an election to be specially called and held for that purpose in March, 1978. This meeting shall be called, advertised and conducted according to the Revised Statutes, Title 30, sections 2061 and 2065. The plantation clerk shall prepare the required ballots on which he shall reduce the subject matter of sections 1, 2 and 3 of this Act to the following question:

“Shall ‘AN ACT Converting Beaver Cove Plantation into the Town of Beaver Cove’ passed by the second regular session of the 108th Legislature, be accepted?”

The voters shall indicate by a cross or check mark placed against the words "Yes" or "No" their opinion of the question. Upon its acceptance by a majority of the legal voters voting at that meeting, sections 1, 2 and 3 of this Act shall take effect for all of their purposes at the annual meeting in 1978, provided that the total number of votes cast for and against the acceptance of sections 1, 2 and 3 of this Act at that meeting equals or exceeds 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 the Plantation of Beaver Cove and due certificate shall be filed by the plantation clerk with the Secretary of State.

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

Effective January 31, 1978

CHAPTER 88

AN ACT to Allow the Town of Otisfield to Meet its Obligations to Cumberland County for Existing Bonded Indebtedness Through a Lump Sum Payment.

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

Whereas, the Town of Otisfield, pursuant to Private and Special Law 1977, chapter 10, and pursuant to a special referendum held on December 5, 1977, will be annexed to Oxford County on July 1, 1978; and

Whereas, Otisfield currently has an obligated bonded indebtedness to Cumberland County which must be defined and settled before annexation to avoid confusion in the tax policies and finances of Otisfield, Oxford County and Cumberland County; and

Whereas, it is the purpose of this Act to define that indebtedness and to provide for its settlement before the annexation takes place; and

Whereas, for this Act to define and settle that indebtedness before annexation, it must take effect before July 1, 1978, and thus must be enacted as emergency legislation; 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: