

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Eighty-sixth and Eighty-seventh
Legislatures

OF THE

STATE OF MAINE

From April 1, 1933, to April 6, 1935

AND MISCELLANEOUS STATE PAPERS

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AUGUSTA, MAINE
1935

Private and Special Laws

OF THE

STATE OF MAINE

As Passed by the Eighty-Sixth Legislature

AT THE

SPECIAL SESSION, DECEMBER 4-20

1933

Supplementary to Private and Special Acts of the Regular Session
and Special Session of November 14.

[supplied from page 59 of volume]

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act becomes effective, and shall be in addition to any purposes, rights, powers and privileges granted to said corporation under the general law.

Sec. 14. Interpretation. Nothing herein contained is intended to repeal or shall be construed as repealing the whole or any part of any existing statute. And all the rights and duties herein mentioned shall be exercised and performed in accordance with all the applicable provisions of chapter 55 of the revised statutes, and acts amendatory thereof and additional thereto.

Emergency clause. In view of the emergency created as recited in the preamble this act shall take effect when approved.

Approved December 16, 1933.

Chapter 112.

AN ACT to Incorporate the Town of Orono School District.

Emergency preamble. Whereas, the school building which houses the free high school of the town of Orono was designed to accommodate no more than 90 pupils and there are now over 195 pupils in said building which overcrowds the capacity of said building and the overcrowded condition is dangerous to the health and lives of the students of said school; and

Whereas, it is imperative that action be taken at the earliest possible moment to relieve this dangerous condition; and

Whereas, if immediate action is taken it will be possible to borrow money from the federal government under the Public Works Act; and

Whereas, it will be impossible to borrow the said money unless the school district is created; and

Whereas, construction should be commenced immediately; and

Whereas, in the opinion of the legislature, these facts render the immediate passage of this act necessary for the preservation of the public peace, health and safety, and constitute an emergency within the meaning of the constitution, now therefore,

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

Sec. 1. Town of Orono School District, incorporated. Subject to the provisions of section 7 hereof, the inhabitants of the town of Orono shall constitute a body politic and corporate under the name of the "Town of Orono School District" for the purpose of acquiring land within the said town for school purposes; erecting, equipping and maintaining on said land

a school building; and for the purpose of maintaining a secondary school, with the right to lease or let said property to said town; all for the benefit of the inhabitants of said town.

Sec. 2. How managed. All the affairs of said district, as are herein provided shall be managed by a board of trustees composed of 3 members who shall be elected as is hereinafter provided.

Sec. 3. Trustees; how chosen; organization; compensation. All the affairs of said district as are herein provided shall be managed by a board of trustees composed of 3 members who shall hold office for the period of 3 years from the date of their appointment except as hereinafter provided for. Three trustees shall be chosen by the municipal officers of the town of Orono as soon as may be after the passage of this act as hereinafter provided. Removal from the town of Orono by any trustee shall ipso facto vacate his office. Vacancies upon the board of trustees occurring because of expiration of the official term of 3 years, removal from town, resignation, death or any cause shall be filled by the municipal officers of the town of Orono in the same manner in which the original board was chosen.

The members of the board as soon as convenient after they have been chosen as above provided, shall meet upon call of one of their number after such reasonable notice as he shall deem proper. At the first meeting the trustees so appointed shall determine by lot the term of office of each trustee so that 1 trustee shall retire each year and the term of office of the first trustee to expire shall end at the close of the municipal year of the town of Orono following the acceptance of this act. And thereafter the term of office of a trustee shall expire and his successor shall be elected by the legal voters of Orono at the close of each municipal year of said town. They shall then elect from their membership a president, clerk, and treasurer, adopt a corporate seal and do all other acts, matters and things necessary to perfect their organization. Thus organized, the trustees shall have the right and authority to employ such officers and agents as they may deem necessary for the proper conduct and management of the affairs of the district.

The trustees shall serve without compensation except the treasurer may receive for his services an amount to be fixed by the board of trustees not to exceed \$100 per year. The treasurer shall give a bond to the district in such sum and with such sureties as the trustees may determine, which bond shall be deposited with the president. The expense of such bond shall be paid by the district. The treasurer's salary, bond premium, and all expenses of the district shall be paid from the funds of the district. At the close of the fiscal year the trustees shall make a detailed report of their doings, of the financial condition of said district, and the physical condition

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of said school building, and also such other matters and things pertaining to said district as shall show the inhabitants thereof how said trustees are fulfilling the duties and obligations of their trust, said reports to be made, attested to and filed with the municipal officers of said town.

Sec. 4. How financed. To procure funds for the purposes of this act and such other expense as may be necessary to the carrying out of said purposes, the said district is hereby authorized to issue its bonds and notes, but shall not incur a total indebtedness exceeding the sum of \$130,000. Each bond shall have inscribed upon its face the words: "Town of Orono School District" and shall bear interest at such rates as the trustees shall determine, payable semi-annually. Said bonds may be issued to mature serially or made to run for such periods as said trustees may determine, but none of which shall run for a longer period than 30 years. All notes or bonds issued by said district shall be signed by the treasurer and countersigned by the president of the district, and if coupon bonds be issued, each coupon shall be attested by a facsimile signature of the president and treasurer printed thereon. The treasurer shall give bond to the district in such sum and with such sureties as said trustees may determine, which bond shall remain in the custody of the president. The expenses of said bond shall be paid by the district. The said district is hereby authorized and empowered to enter into such an agreement with the federal government or any corporation or board authorized by the federal government to loan money or otherwise assist in the financing of such projects as this school district is authorized to carry out.

Sec. 5. Sinking fund. In case said bonds are made to run for a period of years a sinking fund shall be established by the trustees of said district for the purpose of redeeming said bonds when they become due, and not less than 2% of the total cost of the school building and its appurtenances, and the expenses incidental to the carrying out of the purposes of this act shall be added to said sinking fund each year, which may be deposited in a savings bank within the state or may be invested in any United States government bonds, state bonds or the bonds of any political subdivision thereof as the trustees may determine. Whenever any bonds issued by said district become due or can be purchased by said trustees on favorable terms, said trustees shall, if sufficient funds have accumulated in said sinking fund, redeem or purchase said bonds and cancel them. In no case shall bonds so cancelled or redeemed be reissued. In case the amount in the sinking fund shall not be sufficient to pay the total amount of the bonds falling due at any one time, authority to issue new bonds sufficient to redeem so many of said bonds, as cannot be redeemed from the sinking fund is hereby granted to said district but in no case shall new bonds run beyond 30 years from the date of the original issue.

Sec. 6. Provisions for sinking fund. The trustees of the "Town of Orono School District" shall determine the sum to be paid annually into the sinking fund, or if the bonds authorized by this act shall be issued to mature serially what amount is required each year to meet the bonds falling due, and what sum is required each year to meet the interest on said bonds or other obligations, and other necessary expenses in the district, and shall each year thereafter, before the 1st day of April, issue their warrant in the same form as the warrant of the state treasurer for taxes, with proper changes, to the assessors of the town of Orono, requiring them to assess the sum so determined upon the taxable polls and estates within said district and to commit their assessment to the constable or collector of said town of Orono, who shall have all authority and powers to collect said taxes as is vested by law to collect state, county and municipal taxes. On or before the 31st day of December of the year in which said tax is so levied the treasurer of said town shall pay the amount of the tax so assessed against said district to the treasurer of said district. In the case of the failure on the part of the treasurer of the town to pay said sum, or in the case of his failure to pay any part thereof on or before said 31st day of December of the year in which said tax is so levied the treasurer of said district may issue his warrant for the amount of said tax or so much thereof as shall then remain unpaid, to the sheriff of Penobscot county, requiring him to levy by distress and sale on real and personal property of any of the inhabitants of said district, and the sheriff or either or any of his deputies shall execute said warrant except as is otherwise provided herein. The same authority as is vested in county officials for the collection of county taxes, under the provisions of law, is hereby vested in the trustees of said district in relation to the collection of taxes within said district.

Sec. 7. Provisions for termination of the board of trustees. At such time as the school building shall have been completed, equipped, and occupied by pupils of said district and the board of trustees of the district shall have discharged all of its principal obligations and the property of said district shall be free and clear of all indebtedness the board of trustees shall automatically cease to function and all of the duties, management, care and maintenance shall revert to the school board of the town of Orono or such other board as may, at that time, have jurisdiction over similar school property, and the then president and treasurer shall cause to be executed, signed and delivered, a good and sufficient deed of all the property in said district, to the town of Orono. All money, if any remaining in the treasury of the board of trustees at the time it ceases to function, shall be given to the town treasurer of the town of Orono. This money shall be used only for school purposes and shall be kept separate from all other money until authorized by the selectmen of the town of Orono to be expended as hereinbefore stated.

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Emergency clause; effective date of act; referendum. In view of the emergency recited in the preamble hereof this act shall take effect when accepted and approved at a meeting of the legal voters of the territory embraced within the limits of said district, specially called and held for the purpose not later than 4 months after the approval of this act. Such special election shall be called, advertised and conducted according to the law relating to municipal elections, provided, however, that the board of registration in said town of Orono shall not be required to prepare for posting or the town clerk to post a new list of voters, and for the purpose of registration of voters, said board shall be in session the 3 secular days next preceding such election, the 1st 2 days thereof to be devoted to registration of voters, and the last day to enable the board to verify the corrections of said lists and to complete and close up their records of said sessions. The town clerk shall reduce the subject matter of this act to the following question "Shall the act to incorporate the Town of Orono School District be accepted?" which question shall be inserted in the warrant. The vote may be taken viva voce or in any other manner agreeable to the meeting. If a majority of those present and voting shall vote on said question in the affirmative this act shall be considered accepted and approved. The result of the vote in said district shall be declared by the municipal officers of the town of Orono and certificate thereof filed by the town clerk with the secretary of state.

Approved December 16, 1933.

Chapter 113.

AN ACT to Provide for the Issue of State of Maine Improvement Bonds.

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

Sec. 1. Issue of bonds for construction and improvement of state owned property. The treasurer of state is hereby authorized, under the direction of the governor and council, to issue from time to time serial coupon bonds in the name and behalf of the state to an amount not exceeding \$2,000,000, at any one time outstanding, payable serially at the state treasury within 20 years from date of issue, at a rate of interest not exceeding 5% per year, interest payable semi-annually, and signed by the treasurer of state, countersigned by the governor and attested by the state auditor, with the seal of the state affixed. The coupons attached to said bonds shall bear the facsimile of the signature of the treasurer of state instead of his original signature; and such bonds and coupons shall be of such denominations and form and upon such terms and conditions not inconsistent herewith as the governor and council shall direct. Said bonds, together with the proceeds