

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES  
AS PASSED BY THE  
Ninety-first and Ninety-second  
Legislatures  
OF THE  
STATE OF MAINE

From April 10, 1943 to April 21, 1945  
AND MISCELLANEOUS STATE PAPERS  
From April 10, 1943 to May 24, 1945

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Published by the Revisor of Statutes in accordance  
with Chapter 10 of the Revised Statutes of 1944.

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KENNEBEC JOURNAL  
AUGUSTA, MAINE  
1945

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**Private and Special Laws**

OF THE

**STATE OF MAINE**

As Passed by the Ninety-second Legislature

**1945**

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**Sec. 20. Successors or assigns of the aforesaid companies.** It is specially authorized by this act that the said Utilities District shall have the right to acquire by purchase or otherwise the franchises and properties of any of the aforesaid companies or their successors or assigns.

**Sec. 21. Existing statutes not affected; rights conferred subject to provisions of law.** 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 40 of the revised statutes and all acts amendatory thereof or additional thereto.

Effective July 21, 1945

## Chapter 84

### AN ACT to Extend the Charter of Kingman Water Power Company.

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

**Extension of powers.** The rights, powers and privileges granted by chapter 50 of the private and special laws of 1943 are hereby extended for a term of 2 years from the time when the same would otherwise expire.

Effective July 21, 1945

## Chapter 85

### AN ACT Relating to Ferry Between Indian Island and Old Town.

**Emergency preamble.** Whereas, travel between Indian Island and Old Town is greatly impaired because of inadequate means of transportation; and

Whereas, it is imperative that a ferry be established and maintained between Old Town and Indian Island as soon as possible; and

Whereas, in the judgment of the legislature these facts create an emergency within the meaning of section 16 of Article XXXI 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. Authority to establish ferry.** The department of health and welfare is authorized to establish and maintain a ferry between the city of Old Town and Indian Island, so called, and to make use of the long established landing in upper Main Street, Old Town, called the "town landing" or "Indian landing" and the established ferry landing on Indian Island and the department shall make such rules and regulations as it deems advisable for the safe operation of the ferry.

**Sec. 2. Employment of ferryman.** The department is authorized to employ such persons as may be necessary for the efficient and safe operation of the ferry or to lease the right to operate the same to a responsible member of the Penobscot tribe upon such terms and conditions as the department shall determine.

**Sec. 3. Hours of operation; neglect of ferryman.** Said ferry shall be operated each day when ice and weather permit at such hours between 6 A. M. and 10 P. M. and upon such schedules as the department deems necessary for reasonable accommodation of residents of Indian Island. In the event any ferryman is grossly negligent or careless in the discharge and performance of his duties as ferryman, or neglects or refuses discharge of his duties, the agent of the tribe may after consultation with the governor of the tribe summarily remove such ferryman.

**Sec. 4. Tolls established.** The department shall establish reasonable rates of toll for passage, freight and baggage. The agent of said tribe shall have supervision of all matters pertaining to boats, equipment and apparatus used in operating said ferry and shall see that suitable boats, equipment and apparatus are used.

**Sec. 5. Penalty for operating without license.** Any person who operates a ferry between Indian Island and the city of Old Town without authorization of the department or who furnishes for hire a boat or other craft for such purposes forfeits \$4 for each time of transportation, to be recovered by the agent of the tribe and credited to the Indian appropriation.

**Sec. 6. P. & S. L., 1913, c. 132, repealed.** Chapter 132 of the private and special laws of 1913, as amended by chapter 98 of the private and special laws of 1937, is hereby repealed.

**Sec. 7. Appropriation.** There is hereby appropriated from the general fund for the fiscal year ending June 30, 1945, the sum of \$5,000 to carry

out the provisions of this act. Any unexpended balances shall remain as a continuing carrying account until the purposes of this act have been accomplished, at which time any such unexpended balances shall lapse.

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

Effective April 6, 1945

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## Chapter 86

### AN ACT Relating to a Pension Plan for Employees of the City of Lewiston.

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

P. & S. L., 1939, c. 8, Art. XVI, § 19 additional. Article XVI of chapter 8 of the private and special laws of 1939 is hereby amended by adding thereto a new section to be numbered 19 and to read as follows:

‘Sec. 19. Pension plan for city employees. The power to promulgate, enact and amend a pension plan for city employees not presently provided for in a system of retirement or disability benefits shall be vested in the board of mayor and aldermen. Provided, however, that such plan shall include the following:

I. Pension to be not over  $\frac{1}{2}$  of employees' average final compensation, or \$1,500, whichever is lesser at the time of retirement.

A. Retired for disability received while acting in the scope of employment, provided the employee has 10 or more years of creditable service. Any amount paid to employee under state workmen's compensation law shall be deducted from employee's annual allowable pension.

B. Reaches age 65 and/or has served not less than 25 years.

C. Reaches age 65 and has served 20 years or more, the employee shall be entitled to a pension equal to  $\frac{1}{50}$  of his average final compensation multiplied by the number of years of his creditable service.

II. Average final compensation shall mean the annual average of the highest pay received for a period of 5 consecutive years of service preceding retirement.