

MAINE STATE LEGISLATURE

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

From April 22, 1945 to May 14, 1947
AND MISCELLANEOUS STATE PAPERS
From May 25, 1945 to May 14, 1947

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

KENNEBEC JOURNAL
AUGUSTA, MAINE
1947

Private and Special Laws

OF THE

STATE OF MAINE

As Passed by the Ninety-third Legislature

1947

Chapter 18

AN ACT Authorizing the City of Gardiner to Permit Extension of Buildings Over a Right of Way Leading from Depot Square to Bridge Street.

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

Permits to extend certain buildings in Gardiner, authorized. The city of Gardiner is hereby authorized, after notice and public hearing, to license and permit the extension northerly over a right of way leading from Depot Square to Bridge street in said Gardiner of the upper stories of buildings abutting on said right of way, provided further extension will not interfere with or obstruct the use of said right of way as a public way; and provided further, that there shall be no extension except with the consent of the property owner on the opposite, to wit, northerly side of said right of way; and all permits heretofore granted and extensions built pursuant thereto, are hereby ratified, confirmed and validated.

Effective August 13, 1947

Chapter 19

AN ACT to Incorporate the Town of Litchfield School District.

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

Sec. 1. Town of Litchfield School District, incorporated. Subject to the provisions of this act, the inhabitants of the town of Litchfield shall constitute a body politic and corporate under the name of the "Town of Litchfield School District" for the purpose of acquiring land within the said town for school purposes; and erecting, equipping and maintaining on said land a school building; 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 Litchfield as soon as may be after the passage of this act as hereinafter provided. Removal from the town of Litchfield by any trustee shall ipso facto vacate his office. Vacancies upon the board of trustees occurring

because of removal from town, resignation, death or any cause shall be filled by the municipal officers of the town of Litchfield 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 Litchfield, 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 Litchfield 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 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 for 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 \$40,000. Each bond shall have inscribed upon its face the words: "Town of Litchfield School District" and shall bear interest at such rates as the trustees shall determine, payable semiannually. 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 common bonds are

issued each coupon shall be attested by a facsimile signature of the president and treasurer printed thereon. 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 Litchfield 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 treasurer of state for taxes, with proper changes, to the assessors of the town of Litchfield, 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 taxes of said town of Litchfield, 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 Kennebec county, requiring him to levy his distress and sale on real and personal property of any of the inhabitants of said district, and the sheriff or either 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. Authorization. The "Town of Litchfield School District" is hereby authorized to receive from the town of Litchfield, and the said town of Litchfield is hereby authorized to convey to said district the school land situated in the town of Litchfield and to turn over to said school district such sums of money as it may raise either by taxation or by bond issue for the purpose of constructing a centralized school building. Before conveyance of said land or turning over of said funds, the municipal officers shall be duly authorized to do so by a majority of the legal voters of said town, voting at a special meeting called for that purpose or at any regular town meeting. Said school district is hereby authorized to accept gifts, grants, or devises for the purpose of constructing said centralized school building.

Sec. 8. 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 the duties, management, care and maintenance shall revert to the school board of the town of Litchfield or such other board as may, at that time, have jurisdiction over similar school property, and then the 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 Litchfield. 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 Litchfield. 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 Litchfield to be expended as hereinbefore stated.

Effective date of act; referendum. This act shall take effect when accepted and approved at a regular town meeting or a special meeting of the legal voters of the territory embraced within the limits of said district called and held for the purpose not later than 1 year after the approval of

this act. Such special election shall be called, advertised and conducted according to law relating to municipal elections, provided however, that the selectmen in the town of Litchfield shall not be required to prepare for posting or the town clerk to post a new list of voters, and for the purposes of registration of voters, said selectmen shall be in session 1 hour preceding such election. The town clerk shall reduce the subject matter of this act to the following question: "Shall the act to incorporate the Town of Litchfield School District be accepted?" and the voters shall indicate by ballot the words "Yes" or "No" their opinion of the same. The result in said district shall be declared by the municipal officers of the town of Litchfield and due certificate filed by the town clerk with the secretary of state.

Effective August 13, 1947

Chapter 20

AN ACT to Authorize the Treasurer and County Commissioners of Lincoln County to Procure a Loan, and Issue Bonds of Said County Therefor for the Purpose of Building a Court House or Adding to the Present Court House.

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

Sec. 1. Loan authorized. The treasurer of the county of Lincoln is authorized to procure by loan on the faith and responsibility of said county, a sum of money not exceeding \$150,000, exclusive of and in addition to the loans authorized by existing statutes, for the purpose of building a court house or adding to the present court house at Wiscasset, in the county of Lincoln.

Sec. 2. Issuance of bonds authorized. The treasurer of Lincoln county is hereby authorized to issue bonds of said county therefor, with interest coupons attached, to an amount not exceeding \$150,000, said bonds to bear interest payable semiannually at a rate not exceeding 4% per year; the principal to be paid at such times, not later than 40 years from the date thereof, as the county commissioners may fix; said bonds to be signed by the treasurer and countersigned by the county commissioners of said county, and the coupons to bear the facsimile signature of said county treasurer.

Sec. 3. County commissioners, duty of. The county commissioners of said county are hereby authorized to issue said bonds in such denominations as they may deem expedient, and may provide for their maturity at varying dates, in no case more than 40 years from the date thereof.