

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

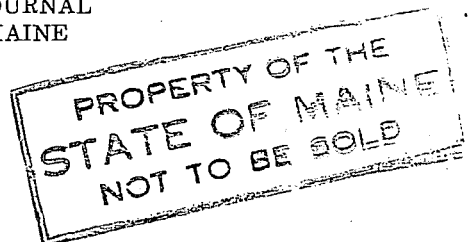
Ninety-fourth Legislature

OF THE

STATE OF MAINE

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Private and Special Laws
OF THE
STATE OF MAINE

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chapter III of the public laws of 1947, is hereby further amended to read as follows:

'Sec. 17. Act void unless property of water company is acquired. If said water district shall fail to purchase or file its petition to take by eminent domain, on or before ~~July 1, 1947~~ October 1, 1949, as in this act provided, the plant, properties, franchises, rights and privileges owned by the Penobscot County Water Company and used or usable in supplying water in the city of Brewer, then this act shall become null and void, except that the corporate entity shall continue until all obligations and liabilities incurred under the provisions of section 12 have been settled in full or otherwise enforced pursuant to the provisions of said section 12, and the provisions of said section 12 for the enforcement of obligations and liabilities shall continue applicable.'

Sec. 4. P. & S. L., 1945, c. 146, amended. Chapter 146 of the private and special laws of 1945, as amended, is hereby further amended by adding thereto a new section to be numbered 21, to read as follows:

'Sec. 21. Separability. The sections and provisions of this act as amended are separable, and the objects of the corporation hereby created cannot otherwise be attained. It is the intention to confer the whole or any part of the powers herein provided for, and if any of the sections or provisions, or parts thereof, are for any reason illegal, the remaining sections or provisions, or parts thereof, shall remain in full force and effect.'

Sec. 5. Re-enactment clause. Except for section 16 of said original enactment, the purposes of which have been accomplished, and except for section 20 of said original enactment, the purpose of which is not applicable to this enactment, said charter with all rights and powers thereunder as heretofore and hereby amended is re-enacted.

Effective August 6, 1949

Chapter 135

AN ACT Relating to Participation of Employees of the City of Lewiston in a Contributory Employees' Retirement System.

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

Sec. 1. P. & S. L., 1939, c. 8, Art. XI, amended. Article XI of chapter 8 of the private and special laws of 1939, as amended, is hereby further amended by adding thereto a new section, to be numbered 27, to read as follows:

'Sec. 27. Limitations. The provisions of this article with reference to the retirement benefits in favor of the members of the Lewiston police department, including the chief of police and police matron, shall not apply to those who elect to participate in any contributory employees' retirement system which may hereafter be established, authorized or approved by the city council upon the recommendation of the board of finance, nor to any person who shall become employed in said police department after the date of the establishment of any contributory employees' retirement system which may hereafter be established, authorized or approved by the city council upon the recommendation of the board of finance.

Any person who shall become a permanent member of said police department after the effective date of the establishment of any contributory employees' retirement system which may hereafter be established, authorized or approved by the city council upon recommendation of the board of finance, shall, as a condition of employment, become a participating member in said contributory employees' retirement system.'

Sec. 2. P. & S. L., 1939, c. 8, Art. XII, § 17, additional. Article XII of chapter 8 of the private and special laws of 1939, as amended, is hereby further amended by adding thereto a new section to be numbered 17, to read as follows:

'Sec. 17. Limitations. The provisions of this article with reference to the retirement benefits in favor of the members of the Lewiston fire department shall not apply to the members thereof who elect to participate in any contributory employees' retirement system, which may hereafter be established, authorized or approved by the city council upon the recommendation of the board of finance, nor to any person who shall become employed in said fire department after the date of the establishment of any contributory employees' retirement system which may hereafter be established, authorized or approved by the city council upon the recommendation of the board of finance.

Any person who shall become a permanent member of said fire department after the effective date of the establishment of any contributory employees' retirement system which may hereafter be established, authorized or approved by the city council upon recommendation of the board of finance, shall, as a condition of employment, become a participating member in said contributory employees' retirement system.'

Sec. 3. P. & S. L., 1939, c. 8, Art. XVI, § 19, sub-§ VI, additional. Section 19 of Article XVI of chapter 8 of the private and special laws of 1939, as enacted by chapter 86 of the private and special laws of 1945, is

hereby amended by adding at the end thereof a new subsection, to be numbered VI, to read as follows:

'VI. Limitations. The provisions of this section shall not apply to any employee of the city of Lewiston who elects to participate in any contributory employees' retirement system which may hereafter be established, authorized or approved by the city council upon the recommendation of the board of finance, nor to any person who shall become employed by the city of Lewiston after the date of the establishment of any contributory employees' retirement system which may hereafter be established, authorized or approved by the city council upon the recommendation of the board of finance.

Any person who shall become employed by the city of Lewiston after the effective date of the establishment of any contributory employees' retirement system which may hereafter be established, authorized or approved by the city council upon the recommendation of the board of finance, shall, as a condition of employment, become a participating member in said contributory employees' retirement system.'

Sec. 4. P. & S. L., 1939, c. 8, Art. XVI, § 19, amended. The 1st paragraph of section 19 of Article XVI of chapter 8 of the private and special laws of 1939, as enacted by chapter 86 of the private and special laws of 1945, is hereby amended to read as follows:

'The power to promulgate, enact and amend, by ordinance, a pension plan for ~~city~~ the employees ~~not presently~~ of the city of Lewiston, who prior to the year 1945 were not provided for in a system of retirement or disability benefits, shall be vested in the ~~board of mayor and aldermen~~ city council, subject, however, to the provision that no such ordinance, or amendment thereto, involving a matter of cost, expense or finances, shall hereafter be enacted by the city council without the approval or the recommendation of the board of finance. Provided, ~~however~~ also, that such pension plan shall include the following:'

Sec. 5. P. & S. L., 1939, c. 8, Art. XVI, § 21, additional. Article XVI of chapter 8 of the private and special laws of 1939, as amended, is hereby further amended by adding thereto a new section, to be numbered 21, to read as follows:

'Sec. 21. Certification of creditable prior service of municipal employees. It shall be the duty of the board of finance to establish and institute the procedure and machinery necessary to investigate and properly certify the creditable prior service of all the employees in the various departments of the city of Lewiston, now subject to any existing non-contributory retire-

ment or pension plan, and of those employees who shall participate in any contributory employees' retirement plan which may hereafter be established, authorized or approved by the city council upon the recommendation of the board of finance; and to maintain a complete file of the data pertaining to the employment and service of all employees in the employment of the city of Lewiston. It shall be the duty of the board of finance to certify to the proper authorities the creditable prior service of all employees in the employ of the city of Lewiston, under any retirement or pension system.'

Effective August 6, 1949

Chapter 136

AN ACT to Repeal the Charter of the Bay Point Village Corporation.

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

Sec. 1. Organization of Bay Point Village Corporation repealed. Chapter 11 of the private and special laws of 1925 creating the Bay Point Village Corporation and all acts additional thereto and amendatory thereof are hereby repealed; provided, however, that the corporate existence, powers, duties and liabilities of said corporation shall survive for the purpose of prosecuting and defending all pending suits and causes of suits of which said corporation is, or may be, a party and all needful process growing out of the same, including provisions for the payment of any debts of or judgments which may be rendered against said corporation or exist in favor of any creditor.

Sec. 2. Referendum. This act shall take effect 90 days after the adjournment of this legislature only for the purpose of permitting its submission to the legal voters of the town of Georgetown and to the legal voters of the Bay Point Village Corporation at any annual meeting of both said town and of said corporation held within 1 year after the effective date of this act, provided the warrant calling such meetings contain appropriate articles for that purpose. Such meetings shall be called and conducted according to law governing municipal elections, except that the board of registration of said town shall not be required to prepare for posting, or the town clerk to post, a list of voters. The town clerk of the town of Georgetown and the clerk of the Bay Point Village Corporation shall prepare proper ballots upon which the subject matter of this act shall be reduced to the following question: "Shall An Act to Repeal the Charter of the Bay Point Village Corporation be accepted?", and the voters of the said town and of the said corporation shall indicate by a cross or check