

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Ninety-seventh Legislature

OF THE

STATE OF MAINE

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Private and Special Laws

OF THE

STATE OF MAINE

As Passed by the Ninety-seventh Legislature

1955

Chapter 42

AN ACT Relating to Expending Aroostook County Funds for Ricker College.

Emergency preamble. Whereas, Ricker college being the only college in northern Maine that furnishes the opportunity for a college education at modest cost to great numbers of deserving youths of Aroostook county; and

Whereas, even though Ricker college tuition was, for the college year 1953-54 increased to the highest level consistent with sound operating practice, yet operational costs of the college exceed income; and

Whereas, Ricker college has at present no income whatever from endowment; and

Whereas, unless additional income, to the extent of at least \$10,000 per year may be found, Ricker college will be forced to curtail its educational program; and

Whereas, such an eventuality would result in the denial of college educational opportunities to large numbers of Aroostook county youths; and

Whereas, education is an eminently proper purpose for the expenditure of county funds; and

Whereas, the immediate need for such additional funds is urgent if Ricker college is to continue to serve effectively; 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 of Maine; now, therefore,

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

Appropriation for college education in Aroostook county. Aroostook county shall expend the sum of \$10,000 for the fiscal year ending June 30, 1956 and the sum of \$10,000 for the fiscal year ending June 30, 1957 for Ricker college, to be paid to the treasurer of said college on or before September 1 of the year for which it is appropriated, and to be expended by the trustees of Ricker college for general operations.

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

Effective March 17, 1955

Chapter 43

AN ACT to Incorporate the Southport Cemetery District.

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

Sec. 1. Perpetual care for cemeteries. The territory within the town of Southport in the county of Lincoln and the people within the territory in the said town are hereby created a body politic and corporate under the name of "Southport Cemetery District," for the following purposes, to wit:

To provide perpetual care for lots in cemeteries, and perpetual care for cemeteries within said district; to enter into a contract or contracts with the owner or owner or other parties interested in any cemetery or in any lot in any cemetery in said district, for the perpetual care of said lot or lots or said cemetery; to purchase real estate for cemetery purposes; to operate cemetery or cemeteries; to sell lots therein; to hold real estate and personal property of every name and nature for carrying out the purposes herein enumerated; to accept bequests, trusts or gifts, of every name and nature, for the purpose of carrying out said purposes herein enumerated; and in the acceptance of any bequest, trust or gift, said district shall not be required to give bond; the funds received by said district under this act from any source whatever may be invested by the trustees of said district in real estate to be used for cemetery purposes, and personal property incidental to providing perpetual care for said cemeteries or for providing perpetual care for lots in said cemeteries, and may also be invested by the trustees of said district in stocks, bonds and other securities that are legal for investment for savings banks in Maine, and deposited in the savings department, at interest, in any Maine bank or trust company.

Sec. 2. May enter into contract. Any bank, trust company, town, corporation, individual or individuals, holding funds in any capacity received under a will or otherwise for the care or perpetual care of any lot or lots in any cemetery situated within said district, are hereby empowered and authorized to enter into contract with said district for the care or perpetual care of said lot or lots, and to transfer to said district the funds now held by them in their possession or under their control for such purposes at the time of entering into said contract, and upon entering into said contract, as aforesaid, and upon the transfer of said funds to the said district, said bank, trust company, town, corporation, individual or individuals shall be relieved from any duty, legal or otherwise, by reason of having accepted such funds as trust funds under a will or otherwise.

Sec. 3. Trustees; by-laws; expenses; audit. All of the affairs of said district shall be managed by a board of trustees, composed of 6 members, all of whom shall be chosen at an annual or special town meeting. If chosen in the first instance at a special town meeting, said trustees shall serve until the next annual town meeting thereafter. If chosen in the first instance at an annual town meeting, the town shall elect 6 trustees as follows: 2 for 1 year; 2 for 2 years and 2 for 3 years, and at each annual town meeting thereafter 2 trustees shall be elected for terms of 3 years. Whenever a vacancy shall, for any reason, occur in the board of trustees, the same shall be filled for the balance of the unexpired term at the next annual town meeting. In the event the said town shall fail to elect a trustee at the end of any of said 3-year terms, said trustee or trustees whose term might otherwise expire shall continue to serve as such trustee until his successor shall have been duly elected and qualified. A majority of said trustees chosen shall have full power to act, notwithstanding any vacancy in said board of trustees however caused. Removal from the town of Southport shall ipso facto vacate his office. The trustees, as soon as convenient after they have been chosen as provided in this act, shall meet upon call of one of their number after such reasonable notice as he shall deem proper. 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, and may establish or adopt a code of by-laws, not inconsistent with law, and all necessary rules and regulations for the proper conduct of the affairs of said district.

The trustees shall serve without compensation, but shall be reimbursed for disbursements and expenses; except that the treasurer may receive for his serv-

ices an amount to be fixed by the board of trustees. The treasurer shall give a surety bond to the district in such sum and with such surety company as surety as the trustees may determine; which bond shall be deposited with the president.

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, which shall end on December 31st of each year, the trustees shall make a detailed report of their doings, of the financial condition of said district, and also such other matters and things pertaining to said district as shall show the inhabitants thereof how the said trustees are fulfilling the duties and obligations of their trust. Said reports shall be made, attested to and filed with the municipal officers of the said town and the same shall be printed in the annual town report of said town. The accounts and affairs of said district shall be audited annually by the auditors for the town.

Referendum; effective date; certificate to Secretary of State. This act shall take effect 90 days after adjournment of the Legislature, only for the purpose of permitting its submission to the legal voters of the town of Southport at any annual or special town meeting legally called and held not later than 2 years after the effective date of this act, an appropriate article being inserted in the call for said meeting. The town clerk shall prepare the required ballots, on which he shall reduce the subject matter of this act to the following question: "Shall the act to Incorporate the Southport Cemetery District, passed by the 97th Legislature, be accepted?" and the voters shall indicate in the usual manner their opinion of the same. This act shall take effect for all the purposes hereof immediately upon its acceptance by a majority of the qualified voters voting at said meeting; provided that the total number of votes cast for and against the acceptance of this act at said meeting equals or exceeds 20% of the total vote for all candidates for Governor in said town at the next previous gubernatorial election. The result of the vote shall be declared by the municipal officers of the town and due certificate thereof shall be filed by the town clerk with the Secretary of State.

Effective August 20, 1955

Chapter 44

AN ACT to Grant a New Charter to the City of Gardiner.

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

ARTICLE I

Grant of Powers to the City

Sec. 1. Corporate existence retained. The inhabitants of the city of Gardiner shall continue to be a municipal corporation under the name of the city of Gardiner and as such shall have, exercise and enjoy all the rights, immunities, powers and privileges, and shall be subject to all the duties, liabilities and obligations provided for herein, or otherwise pertaining to or incumbent upon said city as a municipal corporation; and may enact ordinances, by-laws, and regulations not inconsistent with the constitution and laws of the state of Maine.