

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Ninety-seventh Legislature

OF THE

STATE OF MAINE

Published by the Director of Legislative Research in accordance with subsection VI of section 27 of chapter 10 of the Revised Statutes of 1954.

KENNEBEC JOURNAL
AUGUSTA, MAINE
1955

Private and Special Laws

OF THE

STATE OF MAINE

As Passed by the Ninety-seventh Legislature

1955

Chapter 109

AN ACT Relating to the Taking of Alewives in the Town of Columbia Falls.

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

Taking of alewives in the town of Columbia Falls regulated. Exclusive rights to the taking of alewives from all the waters in the town of Columbia Falls, Washington County, shall be optional with the town.

The town at its annual meeting may determine by vote whether the alewife fishing in these waters shall be operated by the town, through its selectmen or a committee appointed for that purpose, or the privilege offered for sale by the said selectmen or committee; and likewise may provide for regulations compatible with good conservation practices to govern the times when and the manner in which alewives shall be taken therein. Provided, however, that there shall be a 24-hour weekly closed season on alewives in all such waters from sunrise on each Saturday morning until sunrise on the following Sunday morning.

Whenever such regulations are thus provided for, they shall be promulgated by the selectmen of the town of Columbia Falls and a copy of the same filed immediately with the clerk of said town and the Commissioner of Sea and Shore Fisheries.

If in any year said town shall fail to act as provided for in the preceding paragraphs, the taking of alewives in said waters shall be in accordance with the provisions of the general laws of the state and any regulations adopted under the authority of this chapter shall be enforced by the municipal officers of the town of Columbia Falls.

If, after thorough investigation, it is the opinion of the Commissioner of Sea and Shore Fisheries that the town is not following sound conservation principles in its management of the fisheries, said Commissioner shall notify the town officials of his findings and they shall take immediate corrective measures to prevent destruction of the fishery.

Whoever violates any of the provisions of this chapter or any regulations promulgated hereunder shall be punished by a fine of not less than \$10, or by imprisonment for 30 days, or by both such fine and imprisonment.

Effective August 20, 1955

Chapter 110

AN ACT to Amend the Paris Village Corporation.

Emergency preamble. Whereas, acts of the Legislature do not become effective until 90 days after adjournment of the Legislature; and

Whereas, the said 90-day period will not terminate until after the next annual meeting of the Paris Village Corporation; and

Whereas, it is essential that the inhabitants of the Paris Village Corporation be permitted to vote for the proposed charter changes at their next annual meeting; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning 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. Territory defined. So much of the territory of the town of Paris, in the county of Oxford, as is bounded and described as follows, viz: part of lot numbered 12 and 13 in the 5th range of lots in said Paris, bounded northerly by the northerly line of land of the Carter Estate extended westerly to the range line between ranges 4 and 5; westerly by the range line between ranges 4 and 5; southerly by a line beginning at the southwest corner of lot numbered 12 in the 5th range; thence easterly by the lot line between lots numbered 11 and 12 until it strikes the easterly line of land of the Paris Hill Country Club produced in a southerly direction; thence northerly by said easterly side line produced and easterly line of said Country Club to land formerly of W. G. Hammond; thence easterly by the southerly side line of said Hammond's land and said line produced easterly to the range line between ranges 5 and 6 and easterly by the range line between ranges 5 and 6, together with the inhabitants residing thereon, be and the same is hereby created a body politic and corporate by the name of "Paris Village Corporation."

Sec. 2. Power to raise money. Said Corporation is hereby invested with power at any legal meeting called for the purpose to raise such sums of money as may be sufficient to include the care of the Academy and such other property as may now be or later become subject to the care or supervision of the Village Corporation, including the care and lighting of the streets and care of the Common and the town clock in the Baptist Church belfry; to raise such sums of money as may be found desirable toward the expenses of the Hamlin Memorial Library or any public library which may be established within the Village.

Sec. 3. Disposal of surface waters. Said Corporation is hereby empowered at any legal meeting to make such provisions as are deemed necessary for the disposal of accumulations of surface waters, assessing the costs as seem equitable to the assessors.

Sec. 4. Sewer system. Said Corporation is hereby invested with power at any legal meeting to provide for the establishment and maintenance of a sewer system or systems, assessing against abutting property owners such portion of the costs as seems equitable to the assessors.

Sec. 5. Police protection. Said Corporation is hereby invested with power at any legal meeting to provide such police protection as is found desirable.

Sec. 6. Garbage disposal. Said Corporation is hereby invested with power at any legal meeting to provide for such garbage disposal as is found desirable.

Sec. 7. Health. Said Corporation is hereby invested with power at any legal meeting to provide protection for the health of the community.

Sec. 8. Assessment of taxes. Any money raised by said Corporation for the purposes aforesaid shall be assessed upon the property and polls within the afore-

said territory, by the assessors of said Corporation, in the same manner as is provided by law for the assessment of county and town taxes; and said assessors may abate any tax by them so assessed. The tax on polls shall not exceed, at any one assessment, the sum of \$1 to any one person in any one year.

Sec. 9. Collection of taxes. Upon a certificate being filed with the assessors of said corporation by the clerk thereof, of the amount of money raised at any meeting for the purposes aforesaid, it shall be the duty of said assessors, as soon as may be, to assess said amount upon the estates and polls of persons residing on the territory aforesaid, and upon the estates of nonresident proprietors thereof, and the assessors shall certify and deliver said assessment to the treasurer or collector of said corporation, whose duty it shall be to collect the same in like manner as county and town taxes are, by law, collected by towns, and said corporation shall have the same power to direct the mode of collecting said taxes as towns have in the collection of town taxes.

Sec. 10. Officers. The officers of said corporation shall consist of a clerk, 3 assessors, a treasurer, a collector of taxes who may or may not be a resident of said territory, a chief of the fire department and such other officers as may be provided for in the by-laws of said corporation, all of whom shall be duly sworn in by the clerk or by a notary public.

Sec. 11. By-laws. The said corporation, at any legal meeting thereof called for the purpose, may adopt such by-laws and provisions, not inconsistent with the laws and Constitution of this State and the United States, as they may deem expedient and necessary for the better government and regulation of the municipal affairs within said corporation, in which case such by-laws and provisions so adopted shall extend to said corporation as fully, to all intents and purposes, as the other provisions of this act, subject only to alterations or additions by a two-thirds vote, at a legal meeting of the corporation called for the purpose.

Sec. 12. Meetings. All the meetings of said corporation after the first shall be notified by warrant of the assessors, notices of which shall be posted in 2 conspicuous public places within its limits, 7 days prior to the meeting and published in a county newspaper in the 2 successive issues next preceding the date of said meeting, which notices shall state the time, place and objects of said meeting.

Sec. 13. P. & S. L., 1929, c. 5, repealed. Chapter 5 of the private and special laws of 1929 is hereby repealed.

Emergency clause; referendum; effective date; certificate to Secretary of State. In view of the emergency cited in the preamble, this act shall take effect when approved, only for the purpose of permitting its submission to the legal voters of the Paris Village Corporation at the next annual meeting to be held on the 1st Tuesday of August, 1955, an appropriate article being inserted in the call for such meeting, or at a special meeting called and held for the purpose within 1 year after the effective date of this act. Such meeting shall be called, advertised and conducted according to the charter of the Paris Village Corporation and the clerk shall prepare the required ballots, on which he shall reduce the subject matter of this act to the following question:

“Shall ‘An Act to Amend the Paris Village Corporation,’ passed by the 97th Legislature, be accepted?” and the voters shall indicate by a cross or check mark placed against the words “Yes” or “No” their opinion of the same. This act shall take effect for all the purposes hereof immediately upon its acceptance by a majority of the voters voting at said meeting and the filing of the certificate of the

result of the vote with the Secretary of State; but only if the total number of votes for and against the acceptance of this act at said meeting equaled or exceeded 20% of the number of names on the list of voters of said Paris Village Corporation.

The result of the vote shall be declared by the assessors of the corporation and a certificate thereof shall be filed by the clerk of the corporation with the Secretary of State.

Effective April 11, 1955

Chapter 111

AN ACT to Increase the Borrowing Capacity of Community School District Number One in Fort Kent, Maine.

Emergency preamble. Whereas, the Community School District Number One in Fort Kent, Maine, was organized and formed under the provisions of Chapter 357 of the Public Laws of 1947, as amended, to provide for the proper secondary education of the children of the towns of Eagle Lake and Fort Kent and the plantations of New Canada, St. Francis, St. John and Wallagrass; and

Whereas, the said Community School District Number One provides the sole secondary school facilities for the said towns and plantations plus the adjacent plantations and unorganized territories, an area the aggregate population of which, as listed in the 1950 census, was 12,172; and

Whereas, the enrollment in this secondary school has increased from 225 pupils in 1944 to 547 pupils in 1954; and

Whereas, the present enrollment in the elementary schools of this area indicates a continued and substantial increase in the high school enrollment in the immediate future; and

Whereas, the present facilities are so inadequate that the said Community School District Number One has found it necessary during the past 4 years to accommodate its student body on a 2-session basis, the same being inefficient, unsatisfactory, expensive and detrimental to the over-all education results obtained in said Community School District Number One; and

Whereas, the said Community School District Number One is faced with the necessity of constructing a new facility to accommodate its present student enrollment and provide for the expected increase in enrollment; and

Whereas, the limit of indebtedness of said Community School District Number One is that limit of indebtedness established under Section 92-A of Chapter 37 of the Revised Statutes of 1944, as amended, or 5% of the total of the last preceding valuation of all the participating towns, whichever is the lesser; and

Whereas, said Community School District Number One cannot obtain sufficient funds by borrowing under its present indebtedness limitations to construct the minimum needed facilities; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution and require the following legislation as