

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.

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AUGUSTA, MAINE
1955

Private and Special Laws

OF THE

STATE OF MAINE

As Passed by the Ninety-seventh Legislature

1955

	SEWER SYSTEM FOR WINTHROP CREATED	913
PRIVATE AND SPECIAL, 1955		CHAP. 182
Department	1955-56	1956-57
 WAGES & WORK WEEK OF STATE EMPLOYEES		
Personal Services	625,000	625,000
	<hr/>	<hr/>
Total—All Appropriations	\$34,815,286	\$34,760,082
	<hr/> <hr/>	<hr/> <hr/>

Amounting to \$34,815,286 for the fiscal year ending June 30, 1956, and \$34,760,082 for the fiscal year ending June 30, 1957.

Emergency clause. In view of the emergency cited in the preamble hereof, this act shall take effect July 1, 1955.

Effective July 1, 1955

Chapter 182

AN ACT Creating a Sewer System for Town of Winthrop.

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

Sec. 1. P. & S. L., 1923, c. 98, § 1, amended. Section 1 of chapter 98 of the private and special laws of 1923 is hereby amended by adding at the end thereof a new paragraph, to read as follows:

‘Said body shall be constituted also for the purpose of providing adequate sewerage facilities for the collection, discharge and disposition of sewage as may be necessary for the convenience and health of the inhabitants of said district; provided, however, that the district shall not construct any system of sewerage without first having submitted its plans to the Public Utilities Commission and obtained its advice therefor in writing, under power vested in said Commission by section 13 of chapter 44 of the Revised Statutes of 1954 and any acts additional thereto or amendatory thereof.’

Sec. 2. P. & S. L., 1923, c. 98, § 2, repealed and replaced. Section 2 of chapter 98 of the private and special laws of 1923 is hereby repealed and the following enacted in place thereof:

‘Sec. 2. Powers of Winthrop Water District. The said district, for the purpose of its incorporation, is hereby authorized to take, hold, divert, use and distribute water from Narrows pond, so called, in said Winthrop, and from Lake Maranacook in the towns of Winthrop and Readfield, either or both, and from any surface or underground brooks and springs in said Winthrop, and to do any and all things necessary in providing a system of water and sewerage for public purposes and for the health, comfort and convenience of the inhabitants of said district.’

Sec. 3. P. & S. L., 1923, c. 98, § 3, repealed and replaced. Section 3 of chapter 98 of the private and special laws of 1923 is hereby repealed and the following enacted in place thereof:

'Sec. 3. May exercise eminent domain. The said district, for the purposes of its incorporation, is hereby authorized to take and hold as for public uses, real estate and personal property, and any interest therein necessary for such purposes, by purchase, lease or otherwise, and is hereby authorized to exercise the right of eminent domain as hereinafter provided, to acquire for such purposes any land, or interest therein, or water rights necessary for erecting and maintaining dams, plants and works, for flowage, for power, for pumping, for supplying water through its mains and for a sewerage system, for reservoirs, for preserving the purity of the water and watershed, for laying and maintaining mains, aqueducts and other structures for taking and distributing water, for forming basins, reservoirs and outlets in a sewerage system, for erection of buildings, for pumping works, for use therein, for laying pipes and sewers and maintaining the same, and for laying and maintaining conduits for carrying, collecting, discharging and disposing of sewage, for filtering, rectifying, treating and disposal plants, works and facilities, for such other objects necessary, convenient and proper for the purposes of its incorporation, and for rights-of-way or roadways to its sources of supply, dams, power stations, reservoirs, mains, aqueducts, structures, plants, works, facilities and lands. Provided, however, nothing herein contained shall be construed as authorizing said district to take by right of eminent domain any of the property or facilities of any other public service corporation or district used or acquired for future use by the owner thereof in the performance of a public duty unless expressly authorized herein or by subsequent act of the legislature or in case of any crossing of any public utility, unless consent is given by the company owning or operating such public utility as to place, manner and conditions of the crossing within 30 days after such consent is requested by said district, the Public Utilities Commission shall determine the place, manner and conditions of such crossing; and all work on the property of such public utility shall be done under the supervision and to the satisfaction of such public utility, but at the expense of the district.'

Sec. 4. P. & S. L., 1923, c. 98, § 5, repealed and replaced. Section 5 of chapter 98 of the private and special laws of 1923 is hereby repealed and the following enacted in place thereof:

'Sec. 5. Authority as to dams, reservoirs, sewers. The said district is hereby authorized, for the purposes of its incorporation, to erect and maintain all dams, reservoirs and structures necessary and convenient for its corporate purposes; to take into, receive and convey through its sewer pipes, conduits and system, all sanitary sewage; to establish through and by its trustees regulations for the use of sewers and fix and collect the prices to be paid for entering the same, and also the annual rentals for the use thereof, to carry and lay conduits and pipes under any water course, and cross any drain or sewer, or, if necessary, to change its direction in such a manner as not to obstruct the use thereof, and in general to do any other acts or things necessary, convenient and proper to be done for the purpose of its incorporation.'

Sec. 5. P. & S. L., 1923, c. 98, § 13, repealed and replaced. Section 13 of chapter 98 of the private and special laws of 1923, as amended, is hereby repealed and the following enacted in place thereof:

'Sec. 13. District authorized to borrow money and issue notes; may issue bonds; district declared to be a quasi-municipal corporation. For accomplishing the purposes of this act, said water district, through its trustees, is authorized to borrow money temporarily and to issue therefor the interest-bearing negotiable notes of the district, and for the purpose of paying or refunding the indebtedness so created, of paying any necessary expenses or liabilities, incurred under the provisions of this act, including the expenses incurred in the creating of the dis-

tract, in acquiring the plants, properties and franchises of said Hillside Water Company, of the Winthrop Water Company, of the Towle Packing Company and of said Carleton, by purchase or otherwise or in the purchase or acquisition of the properties and franchises of said defendant companies and of said Carleton, of securing sources of supply, taking water and lands, paying damages, laying pipes, constructing, maintaining and operating a water plant and a sewerage system and making renewals, extensions, additions and improvements to the same, the said water district, through its trustees, may from time to time issue bonds of the district to an amount or amounts necessary in the judgment of the trustees aforesaid; provided, however, that bonds for sewerage facilities shall not exceed the sum of \$250,000. Said notes and bonds shall be legal obligations of the water district, which is hereby declared to be a quasi-municipal corporation within the meaning of sections 136 and 137 of chapter 53 of the Revised Statutes of 1954, and all the provisions of said sections shall be applicable thereto. The said notes and bonds shall be legal investments for savings banks. Prior to the issuance of such bonds, an advertisement of the proposed issue shall be inserted in the Kennebec Journal and also in a newspaper of large circulation published in Boston, Massachusetts; the bonds shall be awarded to the lowest bidder provided he shall be able to meet the terms required by the trustees who shall reserve and have the right to reject any and all bids. All bonds shall be made callable; whenever any bonds or notes issued by said district may become due and can be purchased or called for redemption by said district on favorable terms, said trustees, if sufficient funds have accumulated in the sinking fund provided therefor, shall pay, purchase or redeem said bonds or notes and cancel them. In no case shall bonds or notes so paid, purchased or redeemed, and cancelled, be reissued.'

Sec. 6. P. & S. L., 1923, c. 98, § 15, repealed and replaced. Section 15 of chapter 98 of the private and special laws of 1923 is hereby repealed and the following enacted in place thereof:

'Sec. 15. Rates; application of revenues, sinking fund. The owner, or persons in possession, or against whom taxes are assessed, of all buildings intended for human habitation or occupancy, within 125 feet of a street in which there is a sewer maintained by the district, or if such buildings stand on premises which are benefited and to which sewer service is available within said distance shall connect said sewer in the most direct manner possible within 3 years or within such further time as its trustees may grant. Provided, however, that after said 3-year period or within such further time as its trustees may grant, no owner or person in possession, having adequate septic tank or cesspool connections, shall be compelled to enter the facilities of said sewerage system for more than 2 structures for each calendar year. All persons and corporations, whether public, private or municipal, shall pay to the treasurer of said district the entrance charges, rates, tolls, rents and other lawful charges established by the trustees for the sewer service used or to which such beneficial service is available with respect to their buildings. Rates shall be uniform within the district, and the rates, rules and regulations of the district shall be subject to the approval of the Public Utilities Commission. The water and sewer rates shall be so established as to provide revenue for the following purposes:

- I. To pay the current expenses for operating and maintaining the water system and sewerage system.
- II. To provide for the payment of the interest on the indebtedness created by the district.
- III. To provide each year a sum equal to not less than $\frac{1}{2}$ of 1% nor more than 5% of the entire indebtedness created by the district, which sum shall be

turned into a sinking fund and there kept to provide for the extinguishment of said indebtedness. The money set aside for the sinking fund shall be devoted to the retirement of the obligations of the district or invested in such securities as savings banks are allowed to hold.

IV. If any surplus remains at the end of the year, it may be turned into the sinking fund.'

Referendum. Director's note: Repealed and re-enacted by P. & S. L., 1955, c. 199, § 2.

Effective August 20, 1955

Chapter 183

AN ACT Relating to Salary of the Recorder of Waldo County Municipal Court.

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

P. & S. L., 1941, c. 12, § 2, amended. The 2nd sentence of section 2 of chapter 12 of the private and special laws of 1941, as last amended by chapter 150 of the private and special laws of 1953, is hereby further amended to read as follows:

'Said judge shall receive a salary of \$2,250 per year and said recorder shall receive a salary of ~~\$800~~ \$1,000 per year for all services in criminal and civil cases, to be paid from the treasury of the county of Waldo in monthly payments on the last day of each month.'

Effective August 20, 1955

Chapter 184

AN ACT Increasing Salaries of Members of Board of Registration of Voters of City of Bath.

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

P. & S. L., 1947, c. 82, c. II, § 222, amended. Section 222 of chapter II of chapter 82 of the private and special laws of 1947 is hereby amended by adding at the end thereof a new sentence to read as follows:

'The chairman of the board shall receive \$10 and the 2 associate members shall receive \$8 each for every day that the board shall be in session for the revision and correction of the voting list and for completing the record thereof.'

Effective August 20, 1955