

# 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

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of the riprap work located on the Portland side of Fore River and said discontinuance on the southwesterly side extending 115.9 feet along said highway approach or public way southwesterly from the corresponding abutment located on the South Portland side of Fore River.

Effective August 20, 1955

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## Chapter 189

### AN ACT Creating a Board of Assessment Review for Town of Brunswick.

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

**Sec. 1. Board of assessment review.** There shall be a board of assessment review for the town of Brunswick to consist of 5 members, none of whom shall be elected public officials, who shall be appointed by the selectmen of the town of Brunswick for a term of 2 years, except that of those first appointed, 3 shall be for a term of 2 years and 2 for a term of 1 year. If a member of such board shall cease to be a resident of Brunswick, his office shall thereby become vacant. Vacancies in the membership of the board shall be filled by appointment by the selectmen for the unexpired term. Compensation, if any, to such members shall be determined by the town selectmen.

**Sec. 2. Powers and duties.** The board of assessment review shall have power to:

- I. Review and determine, on complaint of taxpayers, assessments made by the town assessors of taxes;
- II. Administer oaths;
- III. Hold hearings;
- IV. Take testimony;
- V. Adopt regulations regarding the procedure of assessment review.

**Sec. 3. Organization.** Such board shall annually choose from its membership a chairman and a secretary, except that in lieu of one of the members of the board serving as secretary, the town selectmen may authorize the board to appoint either a full-time or part-time nonmember secretary and to fix his compensation. The board shall be required to keep an accurate record of all of its proceedings, which shall be available for public inspection.

**Sec. 4. Basis for complaint.** No complaint shall be considered by the board unless there shall have been

- I. Compliance with the provisions of section 36 of chapter 92 of the Revised Statutes of 1954, and
- II. The filing of an application with the assessors of taxes for an abatement under the provisions of section 40 of chapter 92 of said Revised Statutes, and they shall have had a reasonable time to act thereon.

**Sec. 5. Public hearings on complaints.** The selectmen of the town of Brunswick shall by ordinance establish times during which such board of assessment review shall be in session for the hearing of complaints of any person in relation to the assessment roll. Such complaints shall be in writing and shall be directed to the board of assessment review. Hearings upon complaints shall be held in the order received insofar as practicable and as promptly after the filing thereof as possible, and the determination of the board of assessment review shall be made within 20 days after such hearing. Such determination shall be immediately certified by the secretary of the board to the complainant and to the assessors of taxes, who shall make such abatements as the board may determine or appeal therefrom as hereinafter provided.

**Sec. 6. Appeal from determination of the Board of Assessment Review.** Appeal from the determination of the board of assessment review may be taken by either the taxpayer or assessors of taxes to the county commissioners or to the superior court in accordance with the provisions of sections 42 and 43 of chapter 92 of the Revised Statutes of 1954. The determination, report, or findings of the board of assessment review shall not be admissible in evidence in a hearing before the county commissioners or the superior court.

Effective August 20, 1955

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## Chapter 190

### AN ACT Relating to the Salary of the Judge and the Recorder of the Portland Municipal Court.

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

**Sec. 1. P. & S. L., 1891, c. 150, § 3, amended.** Section 3 of chapter 150 of the private and special laws of 1891, as amended by chapter 207 of the private and special laws of 1949, and by section 2 of chapter 157 of the private and special laws of 1953, is hereby further amended to read as follows:

'Sec. 3. Salary of judge. The salary of the judge of said court (Portland Municipal Court) shall be ~~\$4,000~~ \$4,500 per annum, in full for all services.'

**Sec. 2. P. & S. L., 1887, c. 274, § 1, amended.** Section 1 of chapter 274 of the private and special laws of 1887, as amended by chapter 156 of the private and special laws of 1949 and by chapter 59 of the private and special laws of 1953, is hereby further amended to read as follows:

'Sec. 1. Salary of recorder. The salary of the recorder of the municipal court for the city of Portland shall be ~~\$3,500~~ \$4,000 per annum, which shall be in full for all services, and it shall be the duty of said recorder to make and present all copies of libels and monitions in liquor cases.'

Effective August 20, 1955