

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Ninety-eighth Legislature

OF THE

STATE OF MAINE

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OF THE

STATE OF MAINE

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thereon. The ballot in said district shall contain the names of all candidates so nominated in such district alphabetically arranged, printed in one column under the heading, "For Trustee of the Baileyville School District." Above such heading shall be printed "Vote for One. Make a cross or check mark to the right of the name of the candidate voted for." One blank space shall be left after the name of the candidates in which the voter may by writing insert the name of any person for whom he desires to vote. In preparing his ballot the voter shall mark a cross (X) or check mark (✓) against and to the right of the name of the candidate for whom he desires to vote. If the voter shall desire to vote for any person whose name is not printed on the ballot, he may fill in such name in the blank space left therefor by writing the same therein, or by using a sticker containing such new name. Where the voter so adds by writing such name, his vote for such person shall be counted therefor although he may fail to mark a cross or check mark against the same. At each annual meeting of said town of Baileyville balloting for trustee of said district shall take place concurrently with balloting for municipal officers of said town, but separate ballots shall be provided for the balloting for trustee of the district as hereinbefore provided. The result of such election shall be declared by the town council of the town of Baileyville and due certificate thereof filed with the town clerk and with the clerk of the district.'

Sec. 3. P. & S. L., 1955, c. 98, § 4, repealed and replaced. Section 4 of chapter 98 of the private and special laws of 1955 is hereby repealed and the following enacted in place thereof:

'Sec. 4. Special meetings; qualification of voters of district. Special meetings of the district may be called by the board of trustees at any time, and notice of special meetings, stating the place and time thereof and the business to be transacted thereat, shall be signed by the president or clerk of the board of trustees and shall be conspicuously posted in at least 2 public places within the district, not less than 7 days, exclusive of Sundays, before the meeting. Any such meeting may be adjourned from time to time by vote of the qualified voters present thereat, though less than a quorum, and without notice of the time and place of the adjourned session, other than announcement at the meeting. Eleven persons qualified to vote in such meetings shall constitute a quorum. For the holding of any such special meeting of the district, the trustees of said district shall have the same powers, and perform the same duties, as otherwise are exercised and performed by selectmen of towns in correcting and preparing lists of persons qualified to vote, and for that purpose shall be in session at a place designated by the trustees between the hours of 10 o'clock in the forenoon and 12 o'clock noon on the secular day before the date of the meeting. All meetings of the district shall be presided over by a moderator chosen in the same manner and with the same authority as moderators of town meetings. All persons resident in said district and qualified to vote for Governor under the laws of the state shall be entitled to vote at any meeting of the district.'

Effective August 28, 1957

Chapter 65

AN ACT Relating to the Board of Harbor Commissioners for the Harbor of Portland and its Powers.

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

Sec. 1. P. & S. L., 1917, c. 192, § 2, amended. Section 2 of chapter 192 of the private and special laws of 1917 is hereby amended to read as follows:

'Sec. 2. Choice of members of first board, how effected, tenure of office, organization. The present boards of Harbor Commissioners for the city of Portland and of the city of South Portland shall, immediately after the taking effect of this act, or as soon thereafter as may be deemed advisable, meet separately and determine, by lot, the two members from each of said boards who shall constitute the members of the board hereby created; and as soon as such selections are made, the four persons so selected, shall meet and proceed to elect from the members of said board, a chairman and a ~~clerk~~ treasurer, and said board may appoint a clerk who is not a member of said board, adopt a corporate seal, and, may then, or at any time thereafter, adopt such rules and regulations as are necessary for the proper conduct of the business of said board; and at the same meeting, or as soon thereafter as practicable the board shall determine by lot the term of office of each member, so that one member shall retire each year; and a record of such action shall be made by the clerk of the board; and a certificate thereof, signed by the chairman and attested by the clerk, shall be filed and recorded in the records of the city of Portland, and in the records of the city of South Portland.'

Sec. 2. P. & S. L., 1917, c. 192, § 4, amended. Section 4 of chapter 192 of the private and special laws of 1917 is hereby amended to read as follows:

'Sec. 4. Harbor of Portland; limits described. The harbor of Portland shall include, and said board shall be vested with, jurisdiction over the entire harbor and tidal waters within the limits of the city of Portland, including the islands belonging thereto, and its tidal waters within the limits of the city of South Portland, and over the receiving basins and reservoirs of said harbor including the tidal waters of Fore river, Back cove, and northeasterly along the shore to the easterly side of the mouth of the Presumpscot river to the Grand Trunk Railway Company's bridge, and about said islands; ~~and also southerly and easterly of the lines of said harbor, so far as the jurisdiction of the state extends,~~ including all channels and entrances into said harbor, (so far as the same are not under the exclusive control of the United States), and also including all coves, inlets, and other parts where the tide ebbs and flows, within the limits of said cities.'

Sec. 3. P. & S. L., 1917, c. 192, § 6, amended. Section 6 of chapter 192 of the private and special laws of 1917 is hereby amended to read as follows:

'Sec. 6. Application for permission to build or extend wharves, etc., how made; procedure. Any person, firm or corporation intending to do any of the acts referred to in the preceding section, shall first make written application to said board, stating the location, limits and boundaries, as nearly as may be, of such intended erections, extensions, obstructions, filling or excavating, and ask a permit therefor. Said board, upon receiving such application, shall give at least five days' public notice of the pendency of said petition, and shall therein designate a day on which it will meet on, or near, the premises described in said application, and examine the same; and if, upon such examination and hearing of all parties interested, said board decides that such erection, extension, obstruction, filling or excavation, will not interfere with navigation, nor injure the rights of others, and determine to allow the same, it shall issue to the applicant a permit under the hands of its members and the seal of the board, authorizing such applicant to make the erection, extension, obstruction, filling, or excavation therein stated, and to maintain the same within the limits mentioned. The application, with the notice, and proceedings thereon, and the permit granted, shall be recorded by the clerk in a book kept for that purpose, to be entitled "Record of Permits Granted by the Board of Harbor Commissioners for the Harbor of Portland"; and no such permit shall be valid unless signed by at

least three members of the board. Said board shall also fix a reasonable time for the completion of the work authorized under such permit. If the members of the board shall, at any time, be unable to agree upon any pending application, then they shall call upon ~~any judge of the federal court residing in the state~~ any Justice of the Maine Superior or Supreme Court, who shall, in such event, be qualified to act as a member of said board, and the decision of the majority of the board as then existing, shall be decisive of such application; and the permit, if any is issued, shall show that such ~~judge~~ Justice acted on such matter.'

Effective August 28, 1957

Chapter 66

AN ACT to Increase Capitalization of Seal Harbor Water Supply Company.

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

Whereas, in order for the company to furnish the services required, the following legislation is vitally necessary; and

Whereas, the services required should be available in 1957; 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. P. & S. L., 1893, c. 600, § 6, amended. Section 6 of chapter 600 of the private and special laws of 1893 is hereby amended to read as follows:

'**Sec. 6. May issue bonds and mortgage property.** Said company may issue its bonds for the construction of its works, of any and all kinds, upon such rates and time as it may deem expedient, not exceeding the sum of ~~fifty thousand dollars~~ \$300,000, and secure the same by mortgage of the franchises and property of said company.'

Sec. 2. P. & S. L., 1893, c. 600, § 7, amended. Section 7 of chapter 600 of the private and special laws of 1893 is hereby amended to read as follows:

'**Sec. 7. May hold real and personal estate.** Said company, for all its purposes, may hold real and personal estate necessary and convenient therefor, not exceeding ~~fifty thousand dollars~~ \$300,000.'

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

Effective March 29, 1957