

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Ninety-ninth Legislature

OF THE

STATE OF MAINE

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The corporation shall have the same right to sell, convert, exchange, transfer or otherwise change or dispose of the assets of the common trust or trusts as it now has with regard to the property constituting each separate fund. Each separate fund merged shall have at all times a proportionate undivided interest in the common fund. The corporation shall clearly designate upon its records each fund merged and the extent of that interest. The income of the common fund, after deduction of the expenses of administering it, shall be paid to or for the institutions or persons entitled to receive the same in proportion to the interest of each separate fund in the common fund.'

Effective September 12, 1959

Chapter 120

AN ACT Relating to Powers of York Beach Village Corporation.

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

P. & S. L., 1901, c. 455, § 3, repealed and replaced. Section 3 of chapter 455 of the private and special laws of 1901, as amended by chapter 129 of the private and special laws of 1917, is repealed and the following enacted in place thereof:

'Sec. 3. Rights, powers and privileges. The corporation, within its territorial limits, shall have and is hereby granted all the rights, powers and privileges which towns have under the provisions of the Revised Statutes and the public laws of the State of Maine; all the powers, duties and privileges granted to selectmen, clerks, treasurer, constables and other municipal officers of towns by the Revised Statutes and public laws of the State of Maine are hereby specifically granted to and vested in the assessors, clerk, treasurer, constable and other municipal officers of the corporation; all the powers conferred and duties, penalties and obligations imposed by the Revised Statutes and the public laws of the State of Maine upon towns and upon persons for the benefit and protection of towns and persons and of their drains, sewers and property shall be possessed by and imposed upon the corporation, the persons and the property therein, for the benefit and protection of the corporation, the persons and the property, drains and sewers therein; and all the rights, powers and privileges which towns have or which the municipal officers of towns have under the provisions of the Revised Statutes of 1954, chapter 90-A, sections 61 to 63, as enacted by the public laws of 1957, chapter 405, section 1, relating to municipal development; and all acts amendatory thereof or additional thereto are hereby specifically granted to and vested in the corporation and its municipal officers.'

Effective September 12, 1959

Chapter 121

AN ACT Repealing the York Beach Village Corporation.

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

Sec. 1. P. & S. L., 1901, c. 455, repealed. Subject to the provisions of section 6 hereof, chapter 455 of the private and special laws of 1901, as amended, en-

titled "An Act to Incorporate the York Beach Village Corporation" is hereby repealed.

Sec. 2. Rights, etc., of York Beach Village Corporation vested in the Town of York. Upon the acceptance of this act as provided in section 6 hereof, all real and personal property, or any interest therein, then owned by the York Beach Village Corporation, together with all accounts receivable, choses in action, and all other rights and benefits that may be either then due and payable to, or would accrue to, or for the benefit of said York Beach Village Corporation but for this act, shall be and become the property of the Town of York; said town being hereby vested with all rights and powers of holding, disposing of or enforcing such rights so acquired.

Sec. 3. Contracts, etc., to be assumed by Town of York. Upon the acceptance of this act as provided in section 6 hereof, all valid contracts, obligations and liabilities of said York Beach Village Corporation shall be assumed and executed by the Town of York.

Sec. 4. Existing ordinances to remain in force. Upon the acceptance of this act as provided in section 6 hereof, all valid parking, zoning and building ordinances then in force within the York Beach Village Corporation shall remain in force and become valid and enforceable ordinances within the Town of York.

Sec. 5. Board of selectmen increased to 5. Upon acceptance of this act as provided in section 6 hereof, the board of selectmen, assessors of taxes and overseers of the poor shall be increased to 5 members, effective at the next annual meeting of the Town of York to follow thereafter. Three selectmen, assessors of taxes and overseers of the poor shall be elected from the entire town at large for terms of 3 years each, one to be elected each year as is now the case in the Town of York, and nothing in this act shall change the tenure of the existing board of selectmen, assessors of taxes and overseers of the poor until their respective terms expire. In addition one each selectman, assessor of taxes and overseer of the poor shall be elected at the next annual town meeting as aforesaid, for a 3-year term from the legal residents of the areas now comprising the geographical limits of the York Beach Village Corporation and the York Harbor Village Corporation.

Sec. 6. 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 York and said York Beach Village Corporation at annual or special meetings thereof held within 1 year after the effective date of this act, provided that the warrants calling such meetings contain appropriate articles for that purpose. Such meetings shall be called and conducted according to the law governing annual and special meetings of said town and said York Beach Village Corporation, except that voting on the articles relating to this act shall be accomplished by written ballot to be prepared for said meetings respectively by the town clerk and the clerk of said York Beach Village Corporation. Said town clerk and said clerk of the York Beach Village Corporation shall prepare proper ballots upon which the subject matter of this act shall be reduced to the following question:

"Shall 'An Act Repealing the York Beach Village Corporation,' passed by the 99th Legislature, be accepted?" The qualified voters of said town and of said corporation 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 both the inhabitants of the Town of York and the York Beach Village Corporation by a majority of the legal voters present and voting at each of said meetings; provided, however, that the total number of votes cast for and against the acceptance of this act in both the town and the York Beach Village Corporation equals or exceeds 20% of the total number of votes cast for all candidates for Governor in said town at the next previous gubernatorial election.

The result of the vote taken at the meetings above specified shall be declared in open meeting by the municipal officers of said town and by the assessors of said corporation, and a certificate of the result of the vote shall be filed by the clerk of said town and by the clerk of said York Beach Village Corporation with the Secretary of State.

Effective September 12, 1959

Chapter 122

AN ACT Relating to Payments by Town of York to York Beach Village Corporation.

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

P. & S. L., 1901, c. 455, § 4, amended. The first sentence of section 4 of chapter 455 of the private and special laws of 1901, as repealed and replaced by chapter 167 of the private and special laws of 1955, is amended to read as follows:

'The Town of York shall appropriate and pay over to the Treasurer of the York Beach Village Corporation, on or before the first day of July annually, commencing in 1956, out of the taxes collected from the inhabitants and estates of said corporation, a sum of money computed as follows: From the annual appropriation raised by the town taxation on the estates and polls, and from moneys collected on excise taxes within the limits of said York Beach Village Corporation for the previous year, there shall be determined a sum of money equal to ~~35%~~ 45% thereof, and said sum, so computed and determined, shall be the amount paid over to the said Corporation annually, as herein provided.'

Effective September 12, 1959

Chapter 123

AN ACT to Clarify Appointments under Charter of City of Augusta.

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

P. & S. L., 1957, c. 169, Art. VIII, § 5, amended. Section 5 of Article VIII of chapter 169 of the private and special laws of 1957 is amended to read as follows:

'Sec. 5. Term of office, officers, boards. All officials, officers, trustees, members of commissions or departments now in office holding positions hereafter to be filled under the provisions of this charter by the city council or the city man-