

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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OF THE

STATE OF MAINE

As Passed by the Ninety-ninth Legislature

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Sec. 8. P. & S. L., 1953, c. 179, § 15, amended. Section 15 of chapter 179 of the private and special laws of 1953 is amended by adding at the end a new paragraph to read as follows:

'All regular members of the police department at the time this amendment becomes effective shall be exempt from the provisions of this act with respect to examination and qualifying age restrictions.'

Sec. 9. P. & S. L., 1953, c. 179, § 16, amended. Section 16 of chapter 179 of the private and special laws of 1953 is amended to read as follows:

'Sec. 16. Order of dismissal. In the event of a reduction of the fire department or the police department, the latest to be appointed shall be the first to be removed, and shall be given preference precedence, if still upon on the eligible eligibility list, in filling the first vacancy.'

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 qualified voters of the Town of Old Orchard Beach at a special election to be held not later than 60 days after the effective date of this act. Said meeting shall be called, advertised and conducted according to the law relating to municipal elections, a proper article being inserted in the call for said meeting. The town clerk shall prepare the required ballots, on which he shall reduce the subject matter of this act to the following question: "Shall 'An Act Providing for Civil Service for the Old Orchard Beach Police Department,' passed by the 99th Legislature, be accepted?" 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 legal voters voting at said meeting; provided the total number of votes cast for and against the acceptance of this act at said meeting equaled or exceeded 20% of the total vote for all candidates for Governor cast in said town at the next preceding gubernatorial election.

The result of the vote shall be declared by the municipal officers of the Town of Old Orchard Beach and due certificate thereof shall be filed by the town clerk with the Secretary of State.

Effective September 12, 1959

Chapter 138

AN ACT to Repeal the Charter of the Cousins and Littlejohns Islands Village Corporation.

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

Whereas, the Cousins and Littlejohns Islands Village Corporation under its by-laws can hold meetings only during the months of July and August; and

Whereas, it is vitally necessary that the inhabitants of the Cousins and Littlejohns Islands Village Corporation be permitted to vote upon the following legislation in 1959; 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., 1925, c. 27, repealed. Chapter 27 of the private and special laws of 1925, creating the Cousins and Littlejohns Islands Village Corporation, and all acts additional thereto and amendatory thereof, are hereby repealed; provided, however, that the corporate existence, powers, duties and liabilities of said corporation shall survive for the purpose of prosecuting and defending all pending suits and causes of suits of which said corporation is, or may be, a party and all needful process growing out of the same, including provisions for the payment of any debts of or judgments which may be rendered against said corporation or exist in favor of any creditor.

Sec. 2. Transfer of property, etc. Immediately after this act becomes fully effective, all the real and personal property, together with all accounts receivable, choses in action, and all other rights and benefits, that may be then due and payable to or would accrue to or for the benefit of the Cousins and Littlejohns Islands Village Corporation, shall be conveyed, transferred, assigned, delivered and paid over to the Town of Yarmouth, and said town may assume and may carry on all the functions of Cousins and Littlejohns Islands Village Corporation, and said town shall be authorized and empowered to raise funds by loan or taxation, or both, from time to time, as found necessary, to carry on said functions as it may assume and to defray the indebtedness thereof, if any.

It shall be the duty of the assessors of Cousins and Littlejohns Islands Village Corporation at the time this act becomes fully effective to execute and deliver, in behalf of said Cousins and Littlejohns Islands Village Corporation, suitable and appropriate conveyances of all property, real and personal, of said corporation to said Town of Yarmouth.

Sec. 3. Contracts to be assumed by Town of Yarmouth. Upon the acceptance of this act, all valid contracts of said Cousins and Littlejohns Islands Village Corporation shall be assumed and executed by the Town of Yarmouth.

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 Town of Yarmouth and said Cousins and Littlejohns Islands Village Corporation at annual or special meetings thereof held within one 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 Cousins and Littlejohns Islands 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 Cousins and Littlejohns Islands Village Corporation. Said town clerk and said clerk of the Cousins and Littlejohns Islands Village Corporation shall prepare proper ballots upon which the subject matter of this act shall be reduced to the following question:

"Shall 'An Act to Repeal the Charter of the Cousins and Littlejohns Islands 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 Yarmouth and the Cousins and Littlejohns Islands 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 Cousins and Littlejohns Islands 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 overseers 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 Cousins and Littlejohns Islands Village Corporation with the Secretary of State.

Effective May 5, 1959

Chapter 139

AN ACT Relating to Pension for Members of Police and Fire Departments of City of Waterville.

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

P. & S. L., 1941, c. 88, § 1-A, additional. Chapter 88 of the private and special laws of 1941, as amended, is further amended by adding thereto a new section 1-A, to read as follows:

'Sec. 1-A. "Regular member," defined. The phrase "regular member," for the purpose of this act only, shall be limited exclusively to members of the police and fire departments who were duly appointed regular members before January 1, 1960, and have not waived the benefits and provisions of this act by electing to participate in the Maine State Retirement System.'

Effective September 12, 1959

Chapter 140

AN ACT Conveying Songo Lock Property to State of Maine.

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

Songo Lock property; conveyance by Sebago Improvement Company to State of Maine. The Sebago Improvement Company is authorized to convey to the State of Maine for the use of the State Park Commission, and the State of Maine is authorized to accept such conveyance of the following described property, known as the Songo Locks: