

# 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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**Private and Special Laws**

OF THE

**STATE OF MAINE**

As Passed by the Ninety-ninth Legislature

**1959**

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**Sec. 2. Allocation of the Unappropriated General Highway Fund Surplus.** The Unappropriated General Highway Fund Surplus, with the approval of the Governor and Council, may be apportioned by the State Highway Commission for any of the purposes set forth in section 1 hereof and for the construction and reconstruction of state aid roads.

**Sec. 3. Allocation for special state aid construction.** The allocation for State Aid Construction (Special) shall be apportioned to the 16 counties on the basis of the number of miles of improved and unimproved designated state aid highways located within each county not on the federal system, such apportionments to be expended by the State Highway Commission on sections of improved state aid highways where, because of excessive maintenance or hazardous conditions, reconstruction is desirable; and for construction of unimproved sections of state aid highways located between improved sections in instances where the public use and safety require such construction.

**Emergency clause.** In view of the emergency cited in the preamble, this act shall take effect July 1, 1959.

Effective July 1, 1959

## Chapter 147

### AN ACT to Permit the Eastern Maine Electric Cooperative to Exercise Eminent Domain.

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

**Eastern Maine Electric Cooperative; powers of eminent domain.** The Eastern Maine Electric Cooperative, organized under the provisions of the Revised Statutes of 1954, chapter 51, is hereby authorized and empowered to take and hold by right of eminent domain such lands and easements as may be necessary for the proper location of its transmission lines which are designed to carry voltages of 5,000 volts or more and of necessary appurtenances thereto, in the same manner and under the same conditions as set forth in the Revised Statutes of 1954, chapter 52, sections 11 to 22. This right shall not apply to lands or easements located within 300 feet of an inhabited dwelling, nor to lands and easements on or adjacent to any developed or undeveloped water power, nor to lands or easements so closely paralleling existing wire lines of public utility corporations or other rural electrification cooperatives that the proposed transmission lines would substantially interfere with service rendered over said existing lines, except with the consent of the owners thereof, nor to lands and easements owned or used by railroad corporations. Any location to be so taken for such transmission lines shall be approved by the Public Utilities Commission.

Effective September 12, 1959

## Chapter 148

### AN ACT Amending the Charter of the City of Augusta.

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

**Sec. 1. P. & S. L., 1957, c. 169, Art. II, § 2, amended.** Section 2 of article II of chapter 169 of the private and special laws of 1957 is amended to read as follows:

'Sec. 2. Composition, election, tenure of office. The city council shall be composed of a mayor and 8 other members. The members shall be elected, one from each of the 8 voting wards provided for in section 1 of this article. The candidate from each ward receiving the largest number of votes cast in each ward shall be elected councilman from his ward and shall serve for a term of 2 years or until his successor is elected and qualified. At the 1960 regular municipal election the councilmen from wards 1, 3, 5 and 7 shall be elected to serve until the first Monday of January, 1963; the councilmen from wards 2, 4, 6 and 8 shall be elected to serve until the first Monday of January, 1965, or until their successors are elected and qualified. Thereafter, the terms of all councilmen shall be for 4 years and until their successors are elected and qualified. Councilmen now in office shall serve until the first Monday of January, 1961 and until their successors are elected and qualified. Each member shall be a voter and a resident of the ward from which he is elected when elected. In the event a member shall cease to reside in the city, he shall forfeit his office, but there shall be no forfeiture if he moves to another ward. Each member, except the mayor, shall serve without pay and shall not may receive as compensation such sum as shall be appropriated by the council, not to exceed the sum of \$200 per year, and no member shall be eligible while a member of the council to hold any office of emolument or profit under the city charter or ordinances, nor to hold the office of city manager, nor to act as city manager during the term for which he was elected.'

Sec. 2. P. & S. L., 1957, c. 169, Art. IV, § 2, amended. The 2nd paragraph of section 2 of article IV of chapter 169 of the private and special laws of 1957 is repealed and the following enacted in place thereof:

'The chief of police or said constable shall cause the original warrants, with a return of his doings thereon, to be delivered to the chairman of said respective ward meetings, on the date thereof, and the secretaries of said meetings shall respectively make records thereof. The city clerk shall also cause a notice of such meeting to be published in one or more of the newspapers circulated in Augusta, between the time of issuing the warrants and the time appointed for said meetings. Said ward meetings shall be respectively organized by the choice of a chairman and a secretary by ballot or otherwise as may be determined at the meeting, proceed to the election of a member of said board of education, who shall be a resident of the ward where elected.'

The members elected on the first Monday in June, 1959 shall serve until the first Monday of January, 1961 and until their successors are elected and qualified. At the 1960 regular municipal election the members from wards 1, 3, 5 and 7 shall be elected to serve until the first Monday of January, 1963; the members from wards 2, 4, 6 and 8 shall be elected to serve until the first Monday of January, 1965 or until their successors are elected and qualified. Thereafter, the terms of all members shall be for 4 years and until their successors are elected and qualified. They shall be nominated and elected, commencing with the 1960 regular municipal election, under the provisions of article V. Their qualifications as to residency in a ward and the effect of removal therefrom shall be the same as in the case of councilmen hereinbefore set forth.'

Sec. 3. P. & S. L., 1957, c. 169, Art. VI, § 9, amended. The last sentence of section 9 of article VI of chapter 169 of the private and special laws of 1957 is amended to read as follows:

'The council may appoint one ~~person~~ or more persons in each ward whose duty it shall be to furnish the assessors with all necessary information relative to

persons and property taxable in his ward and who shall be sworn to the faithful performance of his duty.'

**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 City of Augusta at a special election called and held for the purpose or at a regular municipal election of the city. Such special or regular election shall be held not later than December 31, 1960. In the event a special election is called for the purpose, it shall be called, advertised and conducted according to the law relating to municipal elections; provided that the board of registration in said city shall not be required to prepare for posting, nor the city clerk to post, a new list of voters, and for the purpose of registration of voters, said board shall be in session the 3 secular days next preceding such special election, the first and 2nd days thereof to be devoted to the registration of voters and the 3rd day to enable the board to verify the corrections of said list and to complete and close up their records of said sessions.

The city clerk shall prepare the required ballots on which he shall reduce the subject matter of this act to the following question: "Shall the Act Amending the Charter of the City of Augusta, 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 purposes hereof immediately upon its acceptance by a majority vote of the legal voters voting at said election; provided that the total number of votes cast for and against the acceptance of this act at said election equals or exceeds 20% of the total vote for all candidates for Governor in said city at the next preceding gubernatorial election.

The result of such election shall be declared by the municipal officers of the City of Augusta and due certificate filed by the city clerk with the Secretary of State.

Effective September 12, 1959

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## Chapter 149

### AN ACT to Create a Committee to Study the Relocation of the State School for Boys.

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

**Sec. 1. Committee on Relocation of State School for Boys.** A Committee on the Relocation of the State School for Boys is created to consist of the following members: one Senator to be appointed by the President of the Senate, one Representative to be appointed by the Speaker of the House, one member from the Department of Institutional Service to be appointed by the Commissioner of Institutional Service, one member from the Department of Finance and Administration to be appointed by the Commissioner of Finance and Administration, and one member to be the State Director of the Bureau of Public Improvements. The committee shall elect a chairman.

**Sec. 2. Duties.** The committee shall:

I. Determine the long-range purpose of a training school for the male juvenile offender for the State of Maine;