

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

One Hundredth Legislature

OF THE

STATE OF MAINE

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Private and Special Laws

OF THE

STATE OF MAINE

As Passed by the One Hundredth Legislature

1961

Chapter 120

AN ACT to Amend the Charter of the Union Mutual Life Insurance Company.

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

P. & S. L., 1878, c. 74, § 8-A, additional. Chapter 74 of the private and special laws of 1878 is amended by adding a new section to be numbered 8-A, to read as follows:

'Sec. 8-A. Allocation of account; pension business. (a) The said company may allocate to one or more separate accounts, in accordance with the terms of a written agreement, any amounts which are paid to said company in connection with a pension, retirement or profit-sharing plan, and which are to be applied to purchase retirement benefits under the company's policies or contracts and to provide other benefits incidental thereto. The income, if any, and gains or losses, realized or unrealized, on each such account may be credited to or charged against the amount allocated to such account in accordance with such agreement, without regard to the other income, gains or losses of the company. The amounts allocated to such accounts and accumulations thereon may be invested and reinvested in any class of loans and investments specified in such agreement. Amounts allocated by the company to separate accounts in the exercise of the power granted by this section shall be owned by the company, and the company shall not be, or hold itself out to be, a trustee in respect to such amounts. (b) This section shall not apply to amounts contributed by a participant who is entitled to retirement or other incidental benefits under such a pension, retirement or profit-sharing plan nor to any amounts which have been applied to the purchase of retirement or other incidental benefits under the policies or contracts of the company.'

Effective September 16, 1961

Chapter 121

AN ACT Relating to Powers of Houlton Water Company to Issue Notes and Other Certificates of Indebtedness.

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

Whereas, the Houlton Water Company is a public utility with its entire stock being owned by the Town of Houlton; and

Whereas, said company furnishes electric power for the Town of Houlton and surrounding towns and also furnishes water for said Town of Houlton; and

Whereas, recently said company has incurred indebtedness for necessary expansion of its works to meet an increased demand for water and electricity for commercial and domestic use and for the extension of fire protection; and

Whereas, the authority of said company to issue its notes and other certificates of indebtedness is in doubt; and

Whereas, it is immediately necessary that said company issue its notes or other certificates of indebtedness to facilitate payment of existing debts recently incurred in connection with the aforesaid expansion of its works; 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., 1880, c. 227, § 2, amended. The 2nd sentence of section 2 of chapter 227 of the private and special laws of 1880, as last amended by chapter 74 of the private and special laws of 1949, is further amended to read as follows:

'Said Houlton Water Company may issue certificates of stock to an amount not exceeding \$50,000; and may issue and sell bonds, notes and other certificates of indebtedness under the provisions of sections ~~42~~ and ~~43~~ of chapter ~~40~~ of the Revised Statutes of ~~1944~~ 1954, chapter 44, sections 43 and 44 and any amendments thereof to aid in the construction, extension, improvement and repair of its works, and to pay any existing debts whether represented by bonds, notes or accounts, and for the purchase of the whole or any part of the bonds, stock, real or personal estate or other assets of the Houlton Sewerage Company.'

Sec. 2. P. & S. L., 1905, c. 31, § 4, repealed and replaced. Section 4 of chapter 31 of the private and special laws of 1905, as amended, is repealed and the following enacted in place thereof:

'Sec. 4. Powers. Said company or corporation may lease, purchase, acquire and hold real and personal estate, necessary and convenient for the purposes aforesaid and for the purposes specified and stated in sections 1 and 2, as last amended by the private and special laws of 1937, chapter 14, sections 3 and 4, and for the purpose of purchasing the plant and business of any person, partnership or corporation carrying on or doing any electric business in the Town of Houlton; may sell and convey the same; and may issue, negotiate and sell its bonds, notes and other certificates of indebtedness under the Revised Statutes of 1954, chapter 44, sections 43 and 44 and any amendments thereof for the purposes stated in this act.'

Sec. 3. P. & S. L., 1880, c. 227, § 12, additional. Chapter 227 of the private and special laws of 1880 is amended by adding a new section 12, to read as follows:

'Sec. 12. Application. The Houlton Water Company shall exercise its powers and authorities, including those conferred by this act and other private and special laws of Maine applicable to it, for the benefit of the Town of Houlton and for the health, comfort and convenience of the inhabitants of said town and of such other municipalities as said company is now serving or may hereafter be authorized to serve. It is hereby found, determined and declared that so long as the beneficial interest in all of the authorized and issued stock of said company is owned by the Town of Houlton, said company is and shall be deemed to be a public instrumentality of the State of Maine performing an essential governmental function in the exercise of the powers and authority conferred upon it by law.'

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

Effective April 10, 1961

Chapter 122

AN ACT Relating to Retirement Benefits for Members of the Lewiston Fire Department.

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

P. & S. L., 1939, c. 8, Art. XII, § 10, amended. The 2nd paragraph of section 10 of Article XII of chapter 8 of the private and special laws of 1939, as enacted by chapter 200 of the private and special laws of 1955, is repealed and the following enacted in place thereof:

‘The death of an active member of the department resulting from injury or illness incurred in the line of duty shall entitle the hereinafter described beneficiaries to pension benefits. If such member so meets his death, the pension benefits payable as a result thereof shall be the continued payment of $\frac{1}{2}$ of the salary he was then receiving. The death of a member of the department retired under the provisions of this section or sections 9 and 11, of this article, shall entitle the hereinafter described beneficiaries to pension benefits. The pension benefits payable as a result thereof shall be the continued payment of the full pension he was then receiving. In either event such benefits shall be paid to his widow until her death or remarriage and if there be no such widow, then to his minor child or children in accordance with article XI, section 21, of this charter, as amended.’

Effective September 16, 1961

Chapter 123

AN ACT Authorizing City of Bangor to Construct Bridge Structures over Kenduskeag Stream.

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

Bridge structures over Kenduskeag Stream; authorized. The City of Bangor is granted the right to construct bridge structures lower than the existing structures now crossing Kenduskeag Stream in said Bangor, over any of the channel area of said Kenduskeag Stream lying between Washington Street on the south and State and Hammond Streets on the north.

Effective September 16, 1961