

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

One Hundredth Legislature

OF THE

STATE OF MAINE

Published by the Director of Legislative Research in accordance with
the Revised Statutes of 1954, Chapter 10, Section 27, Subsection VI.

KENNEBEC JOURNAL

AUGUSTA, MAINE

1961

Private and Special Laws

OF THE

STATE OF MAINE

As Passed by the One Hundredth Legislature

1961

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

Effective September 16, 1961

Chapter 135

AN ACT Relating to Allowance for Uniforms of the Police Department of the City of Lewiston.

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

P. & S. L., 1939, c. 8, Art. XI, § 7-A, amended. Section 7-A of article XI of chapter 8 of the private and special laws of 1939, as enacted by chapter 191 of the private and special laws of 1951 and as amended, is further amended to read as follows:

'Sec. 7-A. Uniforms for members. The city shall supply ~~male~~ members of the police department with necessary uniforms, but shall not expend more than ~~\$100~~ \$150 per member annually. The city shall supply male members of the police department who do not wear uniforms a clothing allowance not to exceed ~~\$100~~ \$150 annually. ~~The provisions of this~~ This section shall apply only to those who have been appointed permanent members of the police department for at least one year.'

Effective September 16, 1961

Chapter 136

AN ACT Authorizing State of Maine to Convey Knox Arboretum, Knox County.

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

Knox Arboretum conveyed. The Treasurer of State, in the name of the State of Maine, is authorized and directed to execute and convey by quit claim deed to Carl B. Erickson and Leroy H. Norwood, both of Warren, County of Knox, any interest of the State in a lot of land with the buildings thereon, situated in the Town of Warren, Knox County, between Oyster River and the St. Georges River, and known as "Knox Arboretum."

Effective September 16, 1961

Chapter 137

AN ACT Relating to the Public Debt Amortization Fund in the City of Waterville.

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

Sec. 1. P. & S. L., 1927, c. 67, § 1, ¶ D, repealed. Paragraph D of section 1 of chapter 67 of the private and special laws of 1927 is repealed.

Sec. 2. P. & S. L., 1927, c. 67, §§ 2 - 15, repealed and replaced. Sections 2 to 8 of chapter 67 of the private and special laws of 1927, section 9 of chapter 67 of the private and special laws of 1927, as amended by chapter 23 of the private and special laws of 1943, sections 10 and 11 of chapter 67 of the private and special laws of 1927, section 12 of chapter 67 of the private and special laws of 1927, as repealed and replaced by section 1 of chapter 177 of the private and special laws of 1955, section 13 of chapter 67 of the private and special laws of 1927, section 14 of chapter 67 of the private and special laws of 1927, as repealed and replaced by section 2 of chapter 177 of the private and special laws of 1955 and section 15 of chapter 67 of the private and special laws of 1927, are repealed and the following enacted in place thereof:

'Sec. 2. Additional source of funds. Moneys or other property may also be added to this fund when given to the same or to the Public Debt Commission by gift or by bequest.

Sec. 3. Duties of city officers. The proper city officers shall segregate such moneys annually from the general fund and other funds of the city as required by this chapter and deliver the same to such bank as has been appointed by the Public Debt Commission under section 9.

Sec. 4. Not an offset to debt limit. Said fund shall not be considered an offset to the constitutional debt limit.

Sec. 5. Public debt commission; Officers. The Public Debt Commission shall consist of the present 3 members thereof and thereafter of 3 citizens appointed by the mayor on the first Monday of January of each year as the terms of the present members expire, each to serve for 3 years. In case of vacancy, the mayor shall appoint a successor to fill out the unexpired term. Said commission shall elect from its own members a chairman and a secretary.

Sec. 6. Expenses of administration. Expenses incident to the administration of said fund shall be paid from the public debt amortization fund.

Sec. 7. Duties of secretary of commission. The secretary of said commission shall keep books of record of all proceedings of said custodians relating to said fund, and shall make a report annually on or about January 15th of each year to the city council.

Sec. 8. Commission to enforce collection of funds. Said commission is hereby authorized and enjoined, when necessary, to demand and enforce by proper proceeding the appropriation, segregation and payment of any amortization moneys due under this chapter.

Sec. 9. Creation of trust. The commissioners shall enter into a trust agreement with any bank duly qualified and authorized to carry on the work of a trust company in the State of Maine under such terms and conditions as shall be prescribed by a majority of said commissioners, giving the trustee authority to invest and reinvest any of the trust funds and the income or increment thereon in such investments as are legal for investment of trust funds in the State of Maine and to perform any and all other functions and services ordinarily performed by such trustee bank, and authorizing the trustee to act on all matters pertaining to voting in person or by proxy at corporate meetings and to perform any other service which is required in the administration of the trust, including the hiring of competent legal counsel. Such trustee bank shall also be

empowered to make payments to the city treasurer of Waterville of annual income or payments from the principal of such trust fund at such times and in such manners as provided in section 11.

The commission shall be authorized to alter, amend or terminate such trust upon reasonable notice to the trustee bank and may proceed to make arrangements for transfer of the funds to a successor trustee bank.

Sec. 10. Liability of commissioners. No commissioner shall be held personally liable for the loss of any of the moneys or securities in the fund except for his fraud or embezzlement in connection therewith.

Sec. 11. Accrued interest added to fund. All interest, dividends or other income earned by said fund on its investments shall, when it accrues, be added to said fund to augment the same for the purposes for which said fund is provided.

Sec. 12. Application of fund. When the total of principal and accrued interest of said fund shall substantially equal $\frac{3}{4}$ of the outstanding bonded indebtedness of said city, then the annual interest on said fund, and so much of the principal thereof as the commissioners by and with the approval of the city council shall deem proper, shall be applied to annual reduction of the municipal bonds of said city, but always maintaining not less than \$100,000 in said fund.

Sec. 13. Other statutes not affected. Nothing herein contained shall be construed to amend, abolish, or take the place of any other sinking fund provided by statute. Nothing in this amendment shall be construed as terminating the present debt commission or altering the term of office of the present members. The commission shall have a reasonable time, but in no event later than January 1, 1962, to transfer said funds and to comply with the foregoing amendments.

Effective September 16, 1961

Chapter 138

AN ACT Revising the Charter of the City of Ellsworth.

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

Sec. 1. P. & S. L., 1933, c. 34, Art. II, § 2, amended. Section 2 of Article II of chapter 34 of the private and special laws of 1933 is amended to read as follows:

'Sec. 2. Terms of members. The city council shall consist of 5 members, who shall be elected at large by and from the qualified voters of the city for a term of ~~2~~ 3 years from the ~~and~~ first Monday in ~~March~~ January next following the date of their election and until their successors are elected and qualified; except that at the first election after the adoption of this ~~charter amendment~~ the ~~3~~ 2 candidates having the largest number of votes shall serve for ~~2~~ 3 years and the ~~2~~ ~~candidates~~ one candidate having the next largest number of votes shall serve for one year, and ~~until their successors are elected and qualified on the~~