

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

One Hundred and Second Legislature

OF THE

STATE OF MAINE

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PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE

AS PASSED BY THE

One Hundred and Second Legislature

1965

Sec. 1107. Ordinances not inconsistent continue in force. All ordinances of the Town of Millinocket in force at the time when this charter takes effect, not inconsistent with the provisions of this charter, shall continue in force until amended or repealed.

Sec. 1108. Removal of officers and employees. Any officer or employee to whom the town manager, or a head of any office, department or agency, may appoint a successor, may be removed by the manager, or other appointing officer at any time. The decision of the manager, or other appointing officer, shall be final and there shall be no appeal therefrom to any other office, body or court whatsoever.

Sec. 1109. Continuance of present administrative officers. All persons holding administrative office at the time this charter takes effect shall continue in office and in the performance of their duties until provision shall have been made in accordance therewith for the performance of such duties or the discontinuation of such office.

Referendum; effective date; certificate of 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 Millinocket at any regular or special election or state-wide election held before 1971. Warrants shall be issued for such election in the manner now provided by law for the holding of municipal elections, notifying and warning the qualified voters of said town to meet in the several ward meetings of said town, there to cast their ballot on the approval or rejection of this Act. Failure of approval by the legal voters of the Town of Millinocket at any such election shall not prevent subsequent elections held before 1971.

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 a Council-Manager Form of Government for the Town of Millinocket', passed by the 102nd 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 the purpose of nominating and electing officers hereunder immediately upon its acceptance by a majority of the legal voters voting at said election, and for all other purposes this Act shall take effect immediately following the first election held under the provisions of this charter following the approval of this Act.

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

Effective September 3, 1965

Chapter 132

AN ACT Relative to the Granting of Licenses for Certain Businesses and Purposes by the Municipal Officers of the Town of Boothbay Harbor.

Emergency preamble. Whereas, no adequate provision now exists for the granting of licenses for certain businesses and purposes by the municipal officers of the Town of Boothbay Harbor; and

Whereas, authority to grant such licenses is urgent for the regulation and control of such businesses and purposes; and

Whereas, such authority is necessary for the preservation of the public peace, health, safety and welfare of the inhabitants of the Town of Boothbay Harbor; 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., 1961, c. 176, § 1, amended. Section 1 of chapter 176 of the private and special laws of 1961 is amended to read as follows:

'Sec. 1. Municipal officers authorized to grant certain licenses. The municipal officers of the Town of Old Orchard Beach, ~~and~~ the Town of Bar Harbor **and the Town of Boothbay Harbor** are authorized to grant licenses in their respective towns for the following businesses and purposes, in accordance with such rules and regulations not inconsistent with law, as the Town of Old Orchard Beach may make, vote and establish by ordinance, and as the municipal officers of the Town of Bar Harbor **and the Town of Boothbay Harbor** may make, vote and establish by ordinance, not in excess of the sum of \$75. Such licenses shall expire on the first day of May of each year, unless otherwise provided, and no pro rate shall be allowed for any part-time license. A business engaging in any of the categories listed in section 3 may be listed for that category even though engaging in other categories not included in section 3.'

Sec. 2. P. & S. L., 1961, c. 176, § 2, amended. Section 2 of chapter 176 of the private and special laws of 1961 is amended to read as follows:

'Sec. 2. Purpose. The purpose of this Act is to provide the municipal officers of the Town of Old Orchard Beach, ~~and~~ the Town of Bar Harbor **and the Town of Boothbay Harbor** a reasonable medium for regulation of certain businesses and purposes.'

Sec. 3. P. & S. L., 1961, c. 176, § 4-B, additional. Chapter 176 of the private and special laws of 1961 is amended by adding a new section 4-B to read as follows:

'Sec. 4-B. Violation and penalties. The municipal officers of the Town of Boothbay Harbor may provide a penalty of not more than \$100 for the violation of any ordinance authorized by this Act. All fines shall be recovered on complaint for the use of the municipality. The municipal officers may further provide by ordinance that any license issued under any ordinance may be suspended or revoked, and in the event of an appeal from conviction said license may be suspended until such time as a final decision has been rendered by the court.'

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