

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

One Hundred and Third Legislature

OF THE

STATE OF MAINE

Published by the Director of Legislative Research in accordance with
the Revised Statutes of 1964, Title 3, Section 164, Subsection 6.

KENNEBEC JOURNAL

AUGUSTA, MAINE

1967

PRIVATE AND SPECIAL LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE
One Hundred and Second Legislature
AT THE
SPECIAL SESSION
January 17 - February 9, 1966

Whereas, it further appears, that the proposed draining of the aforesaid tidal estuary and the mining operations will not present or create a water pollution problem in the aforesaid area; and

Whereas, it further appears that present law does not authorize the diversion and draining of the aforesaid tidal estuary for the development of mineral deposits on said state-owned land and that there is a need of legislation for this purpose; wherefore

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

Sec. 1. Public use. The development, mining and removing of minerals from land owned by the State of Maine located beneath the waters of a certain tidal estuary commonly called Goose Falls Pond in the Town of Brooksville, Hancock County, is of public interest to the State, and the use of such land for the mining and removing of minerals and for operations incidental thereto is declared to be a public use.

Sec. 2. Pond drainage. The Maine Mining Bureau or the holder of a mining lease therefrom, or his or its assigns, is authorized as follows:

1. **Construct and maintain.** To construct and maintain on the aforesaid state-owned lands one or more dams to exclude and divert tidal water and fresh water from the aforesaid tidal estuary.

2. **Drain.** To drain or otherwise remove the water from the aforesaid tidal estuary.

3. **Return of water upon termination.** To return the water to the aforesaid tidal estuary upon termination of mining, removing of minerals and operations incidental thereto.

Sec. 3. Riparian rights. The Maine Mining Bureau shall have the right to take and hold, for the period during which the aforesaid tidal estuary is wholly or partially drained, such riparian rights as may be required for the damming and draining of the aforesaid tidal estuary, and shall pay just compensation therefor.

The proceedings for taking such riparian rights and for determination of compensation, payable to the owners of such rights shall be had in accordance with the Revised Statutes, Title 35, sections 3241 to 3252.

Effective May 11, 1966

Chapter 244

AN ACT to Authorize the Issuance of Bonds in the Amount of Two Million Five Hundred Thousand Dollars on Behalf of the State of Maine to Construct an Office Building for the State Highway Commission.

Preamble. Two-thirds of both Houses of the Legislature deeming it necessary in accordance with the Constitution, Article IX, Section 14, to authorize the issuance of bonds on behalf of the State of Maine for the purpose of constructing an office building for the State Highway Commission.

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

Sec. 1. Bond issue of \$2,500,000 authorized. In addition to state highway and bridge bonds heretofore authorized in the name and behalf of the State, as provided by law, the Treasurer of State is authorized, under the direction of the Governor and Council, to issue serial coupon bonds in the name and behalf of the State to an amount not exceeding \$2,500,000 payable serially at the State Treasury within 20 years from the date of issue and redeemable before maturity. Such bonds and coupons shall be of such denominations and form and upon such terms and conditions, not inconsistent herewith, as the Governor and Council shall direct. The proceeds from the sale of said bonds shall be used for construction of an office building for the State Highway Commission. Any unencumbered balances remaining at the completion of the office building shall lapse to the Highway Fund.

The said bonds shall be deemed a pledge of the faith and credit of the State. Said bonds when paid at maturity or otherwise retired shall not be reissued, but may be refunded on terms more favorable to the State than those in the original issue.

Sec. 2. Contingent upon ratification of bond issue. Section 1 of this Act shall not become effective unless and until the people of the State of Maine shall have ratified the issuance of bonds as set forth in this Act.

Referendum for ratification. The aldermen of cities, the selectmen of towns and the assessors of the several plantations of this State are empowered and directed to notify the inhabitants of their respective cities, towns and plantations to meet in the manner prescribed by law for calling and holding biennial meetings of said inhabitants for the election of Senators and Representatives, at the next general or special state-wide election, to give in their votes upon the acceptance or rejection of the foregoing Act, and the question shall be:

“Shall a bond issue be ratified for the purpose set forth in ‘An Act to Authorize the Issuance of Bonds in the Amount of Two Million Five Hundred Thousand Dollars on Behalf of the State of Maine to Construct an Office Building for the State Highway Commission,’ passed by the 102nd Legislature in special session?”

The inhabitants of said cities, towns and plantations shall indicate by a cross or check mark placed within a square upon their ballots their opinion of the same, those in favor of ratification voting “Yes” and those opposed to ratification voting “No” and the ballots shall be received, sorted, counted and declared in open ward, town and plantation meetings, and return made to the office of the Secretary of State in the same manner as votes for Governor and Members of the Legislature, and the Governor and Council shall count the same and if it shall appear that a majority of the inhabitants voting on the question are in favor of said Act, the Governor shall forthwith make known the fact by his proclamation, and the Act shall thereupon become effective in 30 days after the date of the said proclamation.

Secretary of State shall prepare ballots. The Secretary of State shall prepare and furnish to the several cities, towns and plantations ballots and blank returns in conformity with the provisions of the foregoing Act, accompanied by a copy thereof.