

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 Third Legislature
1967

Chapter 34

AN ACT Appropriating Moneys for Spruce Budworm Control.

Emergency preamble. Whereas, Acts and resolves of the Legislature do not become effective until 90 days after adjournment; and

Whereas, a severe outbreak of spruce budworm has developed in the forests of northern Maine, threatening the destruction of one of Maine's outstanding natural resources; and

Whereas, the following legislation is vitally necessary to control this outbreak so as to save 100,000 acres of Maine forest; 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:

Spruce budworm control. There is appropriated \$53,330 from the Unappropriated Surplus of the General Fund to be expended by the Forest Commissioner or his agents for spruce budworm control as the state's share with the rest of the funds for control supplied by landowners; and any unexpended balances shall not lapse but shall remain a continuing carrying account until June 30, 1968. No allocation or expenditure of funds under this Act shall be approved until there shall be filed with the Forest Commissioner and the Governor notification of approval of the D.D.T. spraying and the availability of proportionate costs by the Maine Forestry District and the U.S. Forest Service upon authorization of the Federal Committee on Pest Control.

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

Effective March 24, 1967

Chapter 35

AN ACT Relating to Financial Matters of the Mount Desert Island Regional School District.

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

Whereas, the board of trustees and the Regional School Committee of the Mount Desert Island Regional School District have been legally constituted; and

Whereas, the board of trustees has selected and acquired a site and employed an architect for the regional high school as contemplated by the creation of said district; and

Whereas, the Regional School Committee has developed a program of educational requirements for said regional school; and

Whereas, it is necessary to empower the trustees of said district to borrow funds in anticipation of the issuance of bonds for capital outlay purposes; and

Whereas, it is necessary to empower the trustees of said district to borrow funds for capital outlay purposes in anticipation of state aid for school construction purposes in order for the project to proceed without delay; 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:

P. & S. L., 1963, c. 176, § 3, amended. The 2nd paragraph of section 3 of chapter 176 of the private and special laws of 1963, as amended by section 1 of chapter 226 of the private and special laws of 1965, is further amended to read as follows:

To procure funds for capital outlay purposes, which include acquiring land, constructing, enlarging, renovating, remodeling and equipping school buildings and related recreational and athletic facilities and the purchase of equipment of a lasting character, the district through its trustees is authorized to issue bonds and notes not to exceed in the aggregate at any one time outstanding, the limit of indebtedness of 5% of the total of the state valuation of all of the participating towns, except that said district through its trustees may issue temporary notes and renewal notes for capital outlay purposes in anticipation of state aid for school construction purposes, and the amount of any such temporary notes and renewal notes shall not be included within the 5% debt limitation of the district. The trustees shall not issue temporary notes in anticipation of state aid for school construction purposes in excess of the amount of such state aid allocated or allocable to the district as certified by the Commissioner of Education. If, after the expiration of 120 days following certification by the trustees to the Commissioner of Education that the project to finance which such temporary notes in anticipation of state aid were issued has been completed in accordance with approved plans, the Commissioner of Education shall certify to the trustees that funds are not available from which to pay all or any part of the total amount of state aid allocated or allocable for the project, the district through its trustees may issue bonds or notes to an amount not exceeding the total amount of temporary notes and renewal notes issued in anticipation of such state aid and then outstanding, after deducting therefrom any funds certified by the Commissioner of Education as then available to pay such temporary notes or renewal notes, in order to fund such outstanding temporary notes or renewal notes issued in anticipation of such state aid, provided that said funding bonds or notes shall not be considered in computing the debt to which the 5% debt limitation of the district is applicable. ~~To procure funds to pay current expenses incurred in anticipation of the issuance of bonds for capital outlay purposes, the district, through its trustees, is authorized to borrow money for temporary purposes and to issue therefor the interest bearing, negotiable notes of the district not exceeding in amount \$100,000 outstanding at any one time, which said notes shall be payable not later than one year from the date thereof.~~ Contracts, leases or agreements with the Maine School Building Authority shall not be debts or liability within

the provisions of this section. Each bond and note shall have inscribed upon its face the words "Mount Desert Island Regional School District," shall be dated at such time or times, shall be in such denomination, shall bear such rate of interest, not exceeding 5% per year, payable semiannually, be in such form subject to the provisions of this Act and be sold in such manner, at private or public sale, as said trustees shall determine. The district is hereby authorized to use the proceeds of such bonds and notes to meet interest due thereon during the year following the date of issuance thereof. Each issue of said bonds and notes may be made to mature serially or made to run for such periods as such trustees shall determine, but no such issue shall be for a longer period than 25 years from the date thereof. Each issue of said bonds and notes may be callable at any interest payment date with or without premium and may be refunded within the period of 25 years from the date thereof. All bonds and notes issued by the district shall be signed by the treasurer of the board of trustees and countersigned by the chairman of said board and, if coupon bonds be issued, each coupon shall be attested by the facsimile signatures of the chairman and the treasurer printed thereon. Any such bonds or notes, if properly executed by such officers in office on the date such securities are actually executed, shall be valid and binding according to their terms notwithstanding that before the delivery thereof and payment therefor either or both of such officers shall have for any reason ceased to hold office. **Prior to the issuance of said bonds or notes, the district through its trustees may borrow in anticipation of their sale by issuing temporary notes and renewal notes, the total face amount of which shall not exceed at any one time outstanding the authorized amount of the capital outlay bonds or notes. If the proceeds of an issue of bonds are used in whole or in part to fund temporary notes of the district or renewals thereof, the period during which such issue of bonds shall be outstanding, plus the period of the loan represented by such temporary notes or renewals thereof, shall not exceed 25 years.**

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

Effective March 28, 1967

Chapter 36

AN ACT Increasing Membership from Five to Seven in City Council and Board of Education of City of South Portland.

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

Sec. 1. P. & S. L., 1963, c. 162, Art. II, § 201, amended. Section 201 of Article II of chapter 162 of the private and special laws of 1963 is amended to read as follows:

201. General powers. The administration of all fiscal, prudential and municipal affairs of said city with the government thereof, except as otherwise herein provided, shall be and are vested in one body of ~~5~~ 7 members which shall constitute and be called the city council, and shall exercise its powers in the manner herein provided.

Sec. 2. P. & S. L., 1963, c. 162, Art. II, § 207, repealed and replaced. Section 207 of Article II of chapter 162 of the private and special laws of 1963 is repealed and the following enacted in place thereof: