

# MAINE STATE LEGISLATURE

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# ACTS AND RESOLVES

AS PASSED BY THE

One Hundred and Third Legislature

OF THE

STATE OF MAINE

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PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE

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and other nominations, if any. Nominations not made in accordance herewith shall be void and all votes in favor of such nominations shall be disregarded.

**Sec. 4. P. & S. L., 1878, c. 74, § 8-A, amended.** Section 8-A of chapter 74 of the private and special laws of 1878, as enacted by chapter 120 of the private and special laws of 1961 and amended by chapter 28 of the private and special laws of 1965, is further amended to read as follows:

**Sec. 8-A. Allocation of accounts.** ~~(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 or contract, and which ~~are to~~ may be applied to purchase retirement benefits payable in fixed or variable amounts 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.~~

**Sec. 5. P. & S. L., 1878, c. 74, § 8-B, amended.** Section 8-B of chapter 74 of the private and special laws of 1878, as enacted by chapter 228 of the private and special laws of 1965, is amended to read as follows:

**Sec. 8-B. Administration of services for governmental units.** The said company may enter into a contract or contracts with the Government of the United States of America, or with any state of said United States, or with any political subdivision of any such state, or with any agency or department thereof, for the purpose of acting as and carrying out the duties and responsibilities of an authorized carrier, intermediary, or administrative agent, under section 1816 or section 1842, or both, of Title XVIII of the United States Social Security Act as enacted under various Public Law 89-97 or as later amended Laws related directly or indirectly to the business of said company, and for such purposes the said company is authorized to comply with all laws, regulations and requirements applicable in respect of any such contract, and may do all things necessary, in the judgment of its directors, including the establishment of separate accounting and deposits, to accomplish the purposes aforesaid and to effect and to perform its obligations under any such contract.

Effective October 7, 1967

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## Chapter 74

### AN ACT Relating to Ricker Classical Institute and Ricker College.

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

Whereas, the Trustees of Houlton Academy was incorporated by chapter 10 of the private and special laws of 1847; and

Whereas, chapter 10 of the private and special laws of 1847 has been amended by Acts of the Legislature from time to time as follows: Chapter 90 of the private and special laws of 1887, chapter 37 of the private and special laws of 1939, chapter 42 of the private and special laws of 1949 and chapter 140 of the private and special laws of 1965, which last mentioned Act constituted an amendment to said chapter 10 of the private and special laws of 1847 and not a repeal thereof as erroneously stated therein; and

Whereas, pursuant to the provisions of chapter 140 of the private and special laws of 1965, the correct corporate name of the corporation created by chapter 10 of the private and special laws of 1847 is now Ricker Classical Institute, and said Ricker Classical Institute now has all of the rights, powers and privileges set forth in said chapter 140 of the private and special laws of 1965; and

Whereas, Ricker College was incorporated by chapter 139 of the private and special laws of 1965 with a view to providing for 2 separate educational corporations, Ricker Classical Institute, the corporation created by chapter 10 of the private and special laws of 1847 and Ricker College, the corporation created by chapter 139 of the private and special laws of 1965; and

Whereas, following the effective date of chapter 139 and chapter 140 of the private and special laws of 1965, Ricker College was organized pursuant to chapter 139, and all of the real and personal property held by Ricker Classical Institute, the name of which had been formerly Ricker Classical Institute and Ricker College, was conveyed, transferred and assigned or purported to be conveyed, transferred and assigned, by said corporation under said former name to said Ricker College, the corporation created by chapter 139 of the private and special laws of 1965; and

Whereas, it now appears that there is no need to continue Ricker College and Ricker Classical Institute as separate educational corporations, and that the original corporation, Trustees of Houlton Academy now Ricker Classical Institute, should be the continuing corporation and all property, assets, rights, powers and privileges should be vested in said continuing corporation; and

Whereas, Ricker College, the corporation created by chapter 139 of the private and special laws of 1965, is engaged in raising funds for the construction of a suitable library, and has entered into agreements with the United States of America for a loan and grant to facilitate such construction; and

Whereas, it is imperative that such library be constructed as soon as possible as the same is an essential part of the required educational facilities, and that the loan and grant agreements with the United States of America be assumed promptly by the continuing corporation to assure the continued availability of the necessary federal funds; 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., 1847, c. 10, amended.** Chapter 10 of the private and special laws of 1847, as amended by chapter 90 of the private and special laws of 1887, chapter 37 of the private and special laws of 1939, chapter 42 of the private and special laws of 1949 and chapter 140 of the private and special laws of 1965, is further amended to read as follows:

**Corporators; corporate name; powers and privileges.** Joseph Carr, Junior, Leonard Pierce, Zebulon Ingersoll, John Hodgdon, Jeremiah Trueworthy, Shepard Cary, Zenas P. Wentworth and Benjamin L. Staples, their associates, successors and assigns, are hereby constituted a corporation by the name of Ricker Classical Institute College; and by this such name may sue and be sued, have a common seal, make such bylaws, not repugnant to the laws of this State, as they deem expedient for the management of its affairs, fill all vacancies occurring in their number, take and hold any estate, personal or real, that it may now possess, or may hereafter receive by donation or otherwise, including trust funds, the annual income of which shall be faithfully applied to promote the cause of higher education; and the said Ricker Classical Institute College aforesaid is entrusted with all the powers and privileges incident to similar educational corporations, including, without limiting the generality of the foregoing, the power to borrow money, issue bonds, notes and other obligations, mortgage and pledge its properties and income derived therefrom and from its operations, and accept gifts or grants from Federal or State Governments and from any other sources. Said Ricker Classical Institute College shall have the power to grant such diplomas as are customarily granted by secondary schools confer honors and degrees usually granted by institutions of higher learning, including, but not restricted to, the degrees of Bachelor of Arts and Bachelor of Science.

**Sec. 2. Validation; conveyance of property.** Ricker College, the corporation created by chapter 139 of the private and special laws of 1965, the incorporation of which is hereby in all respects validated and confirmed, is hereby authorized and empowered to convey, transfer and assign to the corporation created by chapter 10 of the private and special laws of 1847, now the Ricker College designated in section 1 of this Act, all property and assets of every nature and description owned or held by it, real and personal, tangible and intangible, including without limitation, all contract rights of every nature and description and all property and assets transferred to it by Ricker Classical Institute, under its own name or its former name of Ricker Classical Institute and Ricker College, subsequent to September 3, 1965, and prior to the effective date of this Act, and the trustees of said Ricker College are hereby directed to cause such conveyance, transfer and assignment to be effected prior to November 1, 1967.

**Sec. 3. Liable for debts and liabilities.** The corporation created by chapter 10 of the private and special laws of 1847, which has been in continuous existence since 1847 and is now the Ricker College designated in section 1 of this Act, shall be liable and responsible for all debts, liabilities and other obligations, contractual or otherwise, of Ricker College, the corporation created by chapter 139 of the private and special laws of 1965, upon the conveyance to it of all property and assets of said Ricker College pursuant to section 2 of this Act, and thereupon all acts of Ricker College, a corporation created by chapter 139 of the private and special laws of 1965, and of the trustees and officers thereof since its incorporation, shall be deemed to be the acts of the corporation created by chapter 10 of the private and special laws of 1847, now the Ricker College designated in section 1 of this Act.

**Sec. 4. Dissolution.** Effective November 1, 1967, Ricker College, the corporation created by chapter 139 of the private and special laws of 1965,

shall be dissolved and its corporate existence shall be terminated, and all property and assets of every nature and description, real and personal, tangible and intangible, and all contract rights that said Ricker College shall own as of such date shall thereupon belong to and be vested in the corporation created by chapter 10 of the private and special laws of 1847, now the Ricker College designated in section 1 of this Act.

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

Effective April 24, 1967

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## Chapter 75

### AN ACT Amending the Charter of the City of Augusta.

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

**Sec. 1. P. & S. L., 1957, c. 169, Art. II, § 2, amended.** The last sentence of section 2 of Article II of chapter 169 of the private and special laws of 1957, as amended by section 1 of chapter 148 of the private and special laws of 1959, is further amended to read as follows:

Each member, except the mayor, may receive as compensation such sum as shall be appropriated by the council, not to exceed the sum of ~~\$200~~ \$400 per year, and no member shall be eligible while a member of the council to hold any office of emolument or profit under the city charter or ordinances, nor to hold the office of city manager, nor to act as city manager during the term for which he was elected.

**Sec. 2. P. & S. L., 1957, c. 169, Art. II, § 3, amended.** The first paragraph of section 3 of Article II of chapter 169 of the private and special laws of 1957 is amended to read as follows:

In case of a vacancy caused by the death, resignation, removal from the city, or removal from office, as hereinafter provided, of any member of the city council, the vacancy shall be filled from the ward in which such vacancy occurs ~~by a majority vote of the remaining members of the council at a ward election which may be specially called for the purpose by the city council.~~

**Sec. 3. P. & S. L., 1957, c. 169, Art. III, § 4, amended.** Section 4 of Article III of chapter 169 of the private and special laws of 1957 is amended to read as follows:

**Sec. 4. Salary.** The salary of the mayor shall be fixed at ~~\$500~~ \$1,500 annually.

**Sec. 4. P. & S. L., 1957, c. 169, Art. III, § 5, additional.** Article III of chapter 169 of the private and special laws of 1957 is amended by adding a new section 5, to read as follows:

**Sec. 5. Chairman of city council.** Annually, on the first meeting of the council in January, it shall elect from among its members a chairman of the city