

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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1967

PRIVATE AND SPECIAL LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE
One Hundred and Third Legislature
1967

of the public laws of 1911, may present a certificate of such organization to the Attorney General, prepared by its officers of the date of such presentation, setting forth the date, place and purpose of the incorporation, its present location and officers, and if the Attorney General finds that such corporation was formed, by examination of the corporate records or other substantial evidence, whether or not with all the formalities now required in a certificate, and conformed to the law existing at the date of organization, he shall so certify, and the certificate so certified shall be recorded in the registry of deeds where the corporation is located and a copy thereof filed with the Secretary of State as provided for corporations under the present law; and if a certificate has heretofore been filed with the Secretary of State, as provided by chapter 192 of the public laws of 1897, the corporation may present such certificate or a copy thereof to the Attorney General. If he finds that the incorporation was made according to the law of the date of incorporation, he shall so certify, and in either case a copy of such certificate shall be filed with the registry of deeds in the county where the corporation is located, within 60 days after such certification.

Effective October 7, 1967

Chapter 127

AN ACT Relating to Cost of Living Adjustments for Retired Employees of the City of Lewiston and Their Beneficiaries.

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

P. & S. L., 1939, c. 8, Art. XVI, § 21-A, additional. Article XVI of chapter 8 of the private and special laws of 1939, as amended, is further amended by adding a new section 21-A, to read as follows:

Sec. 21-A. Cost of living adjustments for retired employees and beneficiaries. Notwithstanding any other provision in this charter, on any or all general wage adjustments in city salaries made to active city employees on or after January 2, 1968, the same percent increase or decrease shall be applied to all retired city employees or their beneficiaries as provided in articles XI, XII and XVI of this charter. The provisions of this section shall apply to city employees who were retired prior to the enactment of this section and their beneficiaries as well as to those city employees who are retired after such enactment and their beneficiaries, except that no decrease shall be applied to retired city employees who were retired prior to the enactment of this section or to their beneficiaries.

Effective October 7, 1967

Chapter 128

AN ACT Relating to Pensions for Members of the Lewiston Police Department, Lewiston Fire Department and Their Beneficiaries.

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

Sec. 1. P. & S. L., 1939, c. 8, Art. XI, § 21-B, additional. Article XI of chapter 8 of the private and special laws of 1939, as amended, is further amended by adding a new section 21-B, to read as follows:

Sec. 21-B. Pensions, ordinary or nonservice-connected disability. Any permanent member of the police department who has completed 19 or more but less than 25 years of total service in said department, and who has become permanently disabled, mentally or physically, for further performance of duty in the police department because of injury or illness which was not incurred while in the actual performance or discharge of his duties as a member of said department, or which was not connected with his service as a member of said department, shall be retired and shall be entitled to a pension equal to 1/50th of the annual pay he was receiving at the time of his said permanent disability, multiplied by the total number of years of service completed. For the purpose of computing the amount of pension to be paid, half and whole years as hereinafter defined shall be counted. Six months but less than 9 months shall be deemed a 1/2 year, and 9 months or more through 12 months shall be deemed a full year. For the purpose of computing years of service under this section, service rendered prior to the enactment of this section shall also be counted.

The death of a member retired under this section shall entitle his beneficiaries, as defined in section 21 of this article, to the continued payment of the full pension in the amount the member was receiving under this section at the time of his death.

Sec. 2. P. & S. L., 1939, c. 8, Art. XI, § 22-A, additional. Article XI of chapter 8 of the private and special laws of 1939, as amended, is further amended by adding a new section 22-A, to read as follows:

Sec. 22-A. Application for ordinary or nonservice-connected disability. When application is made for a pension as provided in section 21-B of this article, the applicant shall satisfy the police commission that he is permanently disabled, mentally or physically, for further performance of duty in the police department and that he is otherwise qualified for such pension under the provisions of section 21-B of this article.

Sec. 3. P. & S. L., 1939, c. 8, Art. XII, § 11-A, additional. Article XII of chapter 8 of the private and special laws of 1939 is amended by adding a new section 11-A, to read as follows:

Sec. 11-A. Pensions, ordinary or nonservice-connected disability. Any permanent member of the fire department who has completed 19 or more but less than 25 years of total service in said department, and who has become permanently disabled, mentally or physically, for further performance of duty in the fire department because of injury or illness which was not incurred while in the actual performance or discharge of his duties as a member of said department, or which was not connected with his service as a member of said department, shall be retired and shall be entitled to a pension equal to 1/50th of the annual pay he was receiving at the time of his said permanent disability, multiplied by the total number of years of service completed. For the purpose of computing the amount of pension to be paid, half and whole years as hereinafter defined shall be counted. Six months but less than 9 months shall be deemed a half year, and 9 months or more through 12 months shall be deemed a full year. For the purpose of computing years of service under this section, service rendered prior to the enactment of this section shall also be counted.

The death of a member retired under this section shall entitle his beneficiaries, as defined in section 10 of this article, to the continued payment of the full pension in the amount the member was receiving under this section at the time of his death.

Sec. 4. P. & S. L., 1939, c. 8, Art. XII, § 14-A, additional. Article XII of chapter 8 of the private and special laws of 1939 is amended by adding a new section 14-A, to read as follows:

Sec. 14-A. Pensions, applications for ordinary or nonservice-connected disability. When application is made for a pension as provided in section 11-A of this article, the applicant shall satisfy the fire commission that he is permanently disabled, mentally or physically, for further performance of duty in the fire department and that he is otherwise qualified for such pension under the provisions of section 11-A of this article.

Effective October 7, 1967

Chapter 129

AN ACT Relating to Nonlapsing Funds for Land in York County for Park Purposes.

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 project for a State Park in Wells, York County, authorized by the 102nd Legislature cannot be accomplished, with the result that the funds appropriated therefor will lapse; and

Whereas, the following legislation is vitally necessary to prevent the lapsing of such appropriation in order to provide for the acquisition and development of a State Park in York County; 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., 1965, c. 161, Section B, amended. That part of Section B of chapter 161 of the private and special laws of 1965, under the caption "STATE PARK AND RECREATION COMMISSION", which relates to acquisition of land in Wells, is amended to read as follows:

* Wells York County	\$125,500	—
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* Any balance of the above starred appropriation shall not lapse and may be used towards the acquisition and development of a State Park in York County.

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

Effective June 6, 1967