

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

One Hundred and Fourth Legislature

OF THE

STATE OF MAINE

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PUBLIC LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE
ONE HUNDRED AND FOURTH LEGISLATURE
1969

State Street about 150 feet to a point opposite the northerly line of Britt Street; thence across State Street and along the northerly line of said Britt Street easterly to its intersection with property of Augusta Sanitary District; thence northerly and easterly as said property line may run to its intersection with the westerly right-of-way line of the Maine Central Railroad Company; thence along said railroad line northerly as the same may run to its intersection with the southerly line of highway Route 201; thence southwesterly along said highway line, as the same may run, to its intersection with the northerly line of Powhattan Street; thence diagonally across State Street to the intersection of the westerly line of State Street and the northerly line of Hichborn Street; thence westerly along said Hichborn Street to the intersection of its northerly line extended with the westerly line of Higgins Street; thence southerly and westerly along Higgins Street to the intersection of its northerly line extended with the westerly line of Grove Street; thence southerly along Grove Street to its intersection with the northerly line of Wade Street; thence westerly about 400 feet in a straight line along Wade Street and its northerly line extended to the easterly line of Sewall Street; thence southerly along Sewall Street to a point opposite the northerly line of Wade Street; thence across Sewall Street and continuing westerly along the northerly line of Wade Street, and thence continuing in a straight line westerly and parallel to Capitol Street to the easterly line of Florence Street; thence southerly along Florence Street to the point of beginning.

Effective October 1, 1969

Chapter 381

AN ACT Authorizing Municipalities to Voluntarily Consolidate.

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

R. S., T. 30, c. 202, additional. Title 30 of the Revised Statutes is amended by adding a new chapter 202, to read as follows:

CHAPTER 202

CONSOLIDATION

§ 1931. Authority to consolidate

Any 2 or more municipalities may consolidate by following the procedure of section 1932 or the alternative procedure of section 1933.

§ 1932. Joint charter commission

1. Petition. The qualified voters of a municipality may file a petition in the municipal office, signed by at least 10% of the qualified voters of such municipality, except that only 1,000 signatures are necessary in municipalities with 10,000 or more qualified voters.

The petition shall be addressed to the municipal officers, shall propose that such municipality be consolidated with another municipality, or other municipalities, named in the petition, and shall request that 3 persons be elected by the voters of the municipality to serve as members of a joint charter commission for the purpose of drafting a consolidation agreement. The 3 members shall be elected at the next special or regular election in the manner prescribed for the election of municipal officers.

2. Joint charter commission. The election of members by 2 or more municipalities authorizes the commission to draft the consolidation agreement. If a municipality does not elect members, it may not participate in the consolidation.

3. Consolidation agreement. The joint charter commission shall draft an agreement between the consolidating municipalities which shall include, the names of the municipalities; the name under which it is proposed to consolidate, which name must be distinguishable from the name of any other municipality in the State, other than the consolidating municipalities; the property, real and personal, belonging to each municipality, and its fair value; the indebtedness, bonded and otherwise, of each municipality; the proposed name and location of the municipal office; the proposed charter; the terms for apportioning tax rates to service the existing bonded indebtedness of the respective municipalities; and any other necessary and proper facts and terms.

4. Submission of consolidation agreement. The consolidation agreement shall be submitted to the voters of each municipality at a municipal election after notice and hearing. The voters of each municipality shall be given notice of the consolidation agreement and of the time and place of the public hearing, which shall occur at least 10 days after the notice, in the same manner that the voters of each municipality are given notice of ordinances to be enacted; except that notice shall be given at least 30 days prior to the election. The public hearing may be held on more than one day, provided that it adjourns permanently at least 10 days prior to the election. The consolidation agreement may be amended, provided that the amended agreement meets the notice and hearing requirements. Upon approval of a majority of those voting in each of 2 or more municipalities the consolidation agreement shall become effective, according to its terms, in such municipalities.

§ 1933. Alternative procedure

The municipal officers of 2 or more municipalities may act as a joint charter commission without the section 1932, subsection 1, petition.

§ 1934. Effects of consolidation

All the rights, privileges and franchises of each of the municipalities, and all property, real and personal, and all debts due on whatever amounts, belonging to and of the municipalities, are transferred to and vested in the consolidated municipality, provided that all bonded debt of each municipality remains in effect after consolidation as a debt of that portion of the consolidated municipality within the limits of the former municipality that incurred the debt. Ordinances of the former municipalities shall remain in effect in their respective territories until 2 years after the effective date of the consolidation when they shall be null and void.

§ 1935. Limitation

Upon rejection of a consolidation agreement by the voters of a municipality, such municipality may not be a party to any consolidation agreement for 3 years after the date of such rejection, except where 30% of the qualified voters have requested agreement by signing a section 1932, subsection 1, petition.

§ 1936. Certificate to Secretary of State

The results of any vote under this chapter shall be declared by the municipal officers of each town and due certificate of the result shall be filed with the Secretary of State.

Effective October 1, 1969

Chapter 382

AN ACT Relating to Regional Planning and Establishing Regional Councils of Governments.

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

Sec. 1. R. S., T. 5, § 3305, sub-§ 1, ¶ D, amended. The 2nd sentence of paragraph D of subsection 1 of section 3305 of Title 5 of the Revised Statutes, as enacted by section 1 of chapter 533 of the public laws of 1967, is amended to read as follows:

The State Planning Office may assist in forming regional planning commissions and councils of governments and may assist with financing the cost of operation of such regional planning commissions established under Title 30, sections 4501 to 4503, and of councils of governments empowered under Title 30, section 1983, subsection 3.

Sec. 2. R. S., T. 30, § 4501, amended. Section 4501 of Title 30 of the Revised Statutes is amended to read as follows:

§ 4501. Regional planning commission

A municipality which has a planning board may join a regional planning commission for the purpose of regional development and for coordination with state and federal planning and development programs:

1. Districts. The Governor may designate regional planning and development districts when he finds any of the following conditions:

A. There exists with the proposed district a clear need to plan and