

# 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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THE KNOWLTON AND MCLEARY COMPANY  
FARMINGTON, MAINE  
1969

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PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE

As Passed by the One Hundred and Fourth Legislature

1969

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In any event, no person, firm or corporation shall enter the district's sewerage system without first having obtained a permit from the district and payment of any entrance charge established on that location together with any assessment due or estimated to become due as a result of an extension of the existing sewerage system past the property in question, and any charge for construction of a sewerage disposal tank levied in accordance with the provisions of section 10. Payment of any such previously unpaid assessment shall be a condition of connecting with the district's sewer system whether or not the applicant was the owner of the real estate in question at the time that the assessment was made.

The district may also decline to begin construction of any sewer project until 75% of the estimated cost of construction has been paid in by the abutting property owners.

**Referendum; effective date; certificate to Secretary of State.** This Act shall not take effect unless it is approved by the legal voters of the district at any regular or special election to be called and held for the purpose not later than January 1, 1970 by the municipal officers of the City of Auburn. Said election shall be called, advertised and conducted according to the laws relating to municipal elections to the extent applicable thereto.

The city clerk of Auburn shall prepare the required ballots. He shall reduce the subject matter of this Act to the following question:

"Shall the Act to Amend the Charter of the Auburn Sewerage District, passed by the 104th Legislature, be accepted?"

The voters shall indicate by a cross or check mark placed against the words "Yes" or "No" their opinion of the same.

The result of the vote in said district shall be declared by the municipal officers of the City of Auburn and due certificate thereof filed by the city clerk of Auburn with the Secretary of State, and if said result so filed shows that a majority of the vote is for approval of this Act, it shall take complete effect; provided, that the total number of votes cast for or against the acceptance of this Act equals or exceeds 20% of the total eligible voters which had been previously determined by a certificate and list filed by the registrar of voters of Auburn.

Effective October 1, 1969

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## Chapter 119

**AN ACT** Relating to Powers and Duties of the Public Safety Commission of the Town of Old Orchard Beach.

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

**Sec. 1.** P. & S. L., 1953, c. 179, § 1, amended. The first 2 sentences of section 1 of chapter 179 of the private and special laws of 1953 are amended to read as follows:

A ~~civil service~~ public safety commission, consisting of 3 residents of Old Orchard Beach, shall be elected at a special or regular town meeting as soon as convenient after this Act shall become effective, all of whom shall serve without pay. The members of the ~~civil service~~ public safety commission shall hold no other elective or appointive town office.

**Sec. 2. P. & S. L., 1953, c. 179, § 2, amended.** Section 2 of chapter 179 of the private and special laws of 1953, as amended by section 1 of chapter 122 of the private and special laws of 1963, is further amended by adding at the end, a new paragraph, as follows:

The commission shall establish policy and adopt and amend rules and regulations for the administration of said police and fire departments, and, at the first regular meeting of the town council for the month of February, shall present to the town council a separate budget and appropriation request for the ensuing fiscal year for each department for appropriate action by that body.

**Sec. 3. P. & S. L., 1953, c. 179, § 4, amended.** The first sentence of section 4 of chapter 179 of the private and special laws of 1953, as amended by section 3 of chapter 122 of the private and special laws of 1963, is further amended to read as follows:

All appointments to the fire department and the police department, except the chief and the assistant chief of the fire department and the chief of the police department, shall be made by the chiefs of the respective departments, subject to the approval of the commission, from the eligibility lists prepared by the ~~civil service~~ public safety commission, and all appointments shall terminate when appointee shall have attained his 65th birthday.

**Sec. 4. P. & S. L., 1953, c. 179, § 5, amended.** The 3rd sentence of section 5 of chapter 179 of the private and special laws of 1953 is amended to read as follows:

The town clerk shall forward to the chairman of the ~~civil service~~ public safety commission all applications filed.

**Sec. 5. P. & S. L., 1953, c. 179, § 7, amended.** The 4th sentence of section 7 of chapter 179 of the private and special laws of 1953 is amended to read as follows:

These officers shall have the right of appeal within 5 days to the ~~civil service~~ public safety commission, who shall grant a hearing within 15 days from the date of appeal, and the accused shall have the right of representation by counsel.

**Referendum; effective date; certificate to Secretary of State.** This Act shall take effect 90 days after adjournment of the Legislature, only for the purpose of permitting its submission to the legal voters of the Town of Old Orchard Beach at the next statewide election. Such meeting shall be called, advertised and conducted according to the law relating to municipal elections.

The town clerk shall reduce the subject matter of this Act to the following question:

“Shall the Act Relating to Powers and Duties of the Public Safety Commission of the Town of Old Orchard Beach, passed by the 104th Legislature, be accepted?”

The voters shall indicate by a cross or check mark placed against the words “Yes” or “No” their opinion of the same.

This Act shall take effect for all the purposes hereof immediately upon its acceptance by a majority of the legal voters voting at said meeting; provided the total number of votes cast for and against the acceptance of this Act at said meeting equaled or exceeded 20% of the total vote cast for all candidates for Governor in said town at the next preceding gubernatorial election.

The result of the vote shall be declared by the municipal officers of the Town of Old Orchard Beach and due certificate thereof shall be filed by the town clerk with the Secretary of State.

Effective October 1, 1969

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## Chapter 120

### AN ACT to Prevent the Pollution of the Waters of China Lake.

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

**Sec. 1. Findings and intent.** The Legislature finds and declares that China Lake, in the County of Kennebec, exceeds 10 acres in area and is a great pond, the waters of which, and the lands beneath said waters, are held by the State in trust for all; that such waters have been classified by the Legislature as B-1, and are intended thereby to be maintained in such a manner as to be suitable for recreational purposes, including swimming, and for potable water supplies after adequate treatment.

The Legislature further finds that said waters constitute a valuable natural recreational resource of the State, thereby aiding the economy of the State and the spiritual well-being of the citizens of and visitors to this State who enjoy the recreation such waters provide; and that such waters constitute the sole source of public water supply to the Kennebec Water District, which district serves the 5 municipalities of Benton, Fairfield, North Vassalboro, Waterville and Winslow.

The Legislature further finds that land in the China Lake watershed is being increasingly developed for residential and recreational use; that the principal means of waste disposal employed by residents within the watershed is the septic tank; that the drainage from large numbers of septic tanks will, unless adequately controlled, permeate the soil of the watershed, enter the waters of China Lake and accelerate the eutrophication process therein, thus depreciating the value of such waters as a recreational resource and necessitating costly expenditures to treat such waters before they are fit for their present use as a public water supply.