

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

ACTS AND RESOLVES

AS PASSED BY THE

One Hundred and Fifth 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.

THE KNOWLTON AND MCLEARY COMPANY
FARMINGTON, MAINE
1971

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE

AS PASSED BY THE

One Hundred and Fourth Legislature

AT THE

SPECIAL SESSION

January 6, 1970

to

February 7, 1970

The balance of the proceeds shall be paid to the Pineland Hospital and Training Center, and may be used by the superintendent thereof for its general purposes.

Effective May 9, 1970

Chapter 225

AN ACT Clarifying and Correcting an Omission in the Charter of the Town of Gorham, and the Town of Winslow.

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

Whereas, there may be urgent need for the construction of various capital improvements in the Town of Gorham within a period of 90 days after the adjournment of the Legislature, which improvements must be financed by the issuance of general obligation securities; and

Whereas, there may be urgent need for operating funds in the Town of Winslow within a period of 90 days after the adjournment of the Legislature, which operating funds must be financed by the issuance of general obligation securities; and

Whereas, the charter of the Town of Gorham does not provide, either specifically or by reference to the Revised Statutes, for the manner by which general obligation securities may be authorized and issued by said town; and

Whereas, doubt exists as to the manner by which said Town of Gorham may legally issue such securities to finance the construction of such capital improvements, thus raising doubt as to the legality of any proceedings to authorize the issuance of the necessary bonds or notes; 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., 1967, c. 57, Art. II, § 204, sub-§§ 204.16 & 204.17, additional. Section 204 of Article II of chapter 57 of the private and special laws of 1967 is amended by adding 2 new subsections to read as follows:

204.16. Authorize and issue general obligation securities, provided that no such securities shall be issued to finance a proposed capital expenditure over \$100,000 unless such proposed expenditure shall first have been approved by referendum vote pursuant to section 901.

204.17. Act as the legislative body of the town and exercise all other powers now or hereafter given to inhabitants of towns acting in town meeting, subject to the provisions of Article IX.

Sec. 2. P. & S. L., 1967, c. 57, Art. IX, § 905, additional. Article IX of chapter 57 of the private and special laws of 1967 is amended by adding a new section 905, to read as follows:

Sec. 905. Notice of referenda. Notice of the time, place and purpose of any referendum held pursuant to this Article shall be given by posting such notice in at least 2 conspicuous public places in the town or by publication in a newspaper of general circulation in the town, such posting or publication to be not less than 7 nor more than 14 days before the day of the referendum.

Sec. 3. Town of Winslow. Notwithstanding any of the provisions of Article VIII of chapter 7 of the private and special laws of 1969, there shall be a budget for the fiscal period January 1, 1970 to June 30, 1970 of the Town of Winslow and the amount stated therein as the amount to be raised by property tax shall constitute a determination of the amount of the tax levy for the purposes of the Town in said fiscal period. The town council may in lieu of the levying of property tax to raise such amount or any part thereof, authorize and issue within said fiscal period general obligation securities not exceeding in principal amount, the amount stated in said budget as the amount to be raised by property tax, less the amount of such property tax, if any, as it shall direct be levied by the town assessors. Said general obligation securities shall be payable in annual serial installments of equal or diminishing amounts over a period not to exceed 5 years from their date and except as herein provided shall be issued in accordance with the applicable provisions of the general statutes and said chapter 7, provided, that the order or resolve of the town council authorizing such general obligation securities shall become effective upon its passage and shall not be subject to any referendum provision of said chapter 7 or otherwise.

Sec. 4. P. & S. L., 1969, c. 7, Art. VIII, § 801, amended. The first sentence of section 801 of Article VIII of chapter 7 of the private and special laws of 1969 is amended to read as follows:

The fiscal year of the town government shall begin the first day of ~~July~~ ~~January~~ and shall end on the ~~30th~~ 31st day of ~~June~~ ~~December~~ of each calendar year.

Sec. 5. Effective date. Section 4 shall become effective for the fiscal year beginning January 1, 1971.

Sec. 6. Budget. There shall be a budget for the fiscal period commencing July 1, 1970 to December 31, 1970 which may include funds to retire prior debt of the Town of Winslow.

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