

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE
One Hundred and Sixth Legislature
1ST SPECIAL SESSION
JANUARY 2, 1974 TO MARCH 29, 1974
AND BY THE
One Hundred and Seventh Legislature
REGULAR SESSION
JANUARY 1, 1975 TO JULY 2, 1975

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
1975

PRIVATE AND SPECIAL LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
One Hundred and Seventh Legislature

1975

Whereas, the Legislature wishes to remove any doubt as to the validity of those municipal elections which were actually held; 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:

Election of certain municipal officials of Hallowell validated. Notwithstanding provisions of the charter of the City of Hallowell or of any other provision of law, the candidate for mayor, the candidates for city councilmen and the candidates for school directors who received the largest number of votes in the municipal elections for the City of Hallowell which were held during the years 1971 through 1974 and who were declared elected as mayor, city councilmen and school directors are hereby confirmed to have been duly, validly and effectively elected as mayor, city councilmen and school directors for the City of Hallowell and all actions taken by that mayor, those councilmen and those school directors which were taken in an official capacity during their terms of office and up to the effective date of this Act are hereby declared valid and effective.

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

Effective May 14, 1975

CHAPTER 50

AN ACT Declaring the Lewiston-Auburn Water Pollution Control Authority to be a Quasi-municipal Corporation.

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

Whereas, The Lewiston-Auburn Water Pollution Control Authority is in process of constructing and financing public sewage treatment facilities for the cities of Lewiston and Auburn; and

Whereas, the Act establishing said authority fails to provide that said authority is a quasi-municipal corporation; and

Whereas, said omission may inhibit the marketability of bonds of said authority and also creates doubt as to whether the Maine Municipal Bond Bank may purchase bonds of said authority; and

Whereas, financial hardship to said authority may arise unless its status is clarified; 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&SL 1967, c. 92, § 8, as last amended by PL 1969, c. 113, § 2, is amended by adding at the end the following new paragraph:

The authority is hereby declared to be a quasi-municipal corporation within the meaning of the statutes of the State of Maine.

Sec. 2. P&SL 1967, c. 92, § 14, as last amended by P&SL 1973, c. 58, § 2, is repealed and the following enacted in place thereof:

Sec. 14. Lewiston-Auburn Water Pollution Control Board. The authority shall be under the management and direction of a board of directors, which shall be known as the Lewiston-Auburn Water Pollution Control Board, also referred to herein as "the board" or "the board of the authority." The board shall consist of 7 members. The director of the Lewiston Department of Public Works, the Controller of the City of Lewiston, the superintendent and the president of the Auburn Sewerage District and the Manager of the City of Auburn shall be members of the board by virtue of their respective offices and in the event of the termination of their respective offices they shall continue as members of the board of the authority until their replacements are elected or appointed. If the president of the Auburn Sewerage District Trustees should decline to serve or should resign as a member of the board of the authority, he shall select another trustee to replace him for the remainder of his term. Notice of such appointment shall be given in writing by the clerk of the Auburn Sewerage District to the board of the authority. The members of the Lewiston board of public works shall elect one of their number to serve for a 2-year term on the board of the authority and thereafter until his successor takes office. In the event that either the member of the board so selected or the appointee of the president of the Auburn Sewerage District should cease to be a resident of his respective city, or should die, become incapacitated, or otherwise cease to be a member of the Lewiston board of public works or the Auburn Sewerage District trustees, or if the president of the Auburn Sewerage District should die or become incapacitated while serving on the board of the authority, a successor shall be elected to serve out the remainder of his term by the Lewiston board of public works or the Auburn Sewerage District trustees, as the case may be.

Reasonable notice of the date of the meeting and of the necessity of electing a new member of the board of the authority, who may be the incumbent, shall be given to the board of public works by the secretary or clerk of the authority.

At the initial meeting for organization of the authority, or as soon thereafter as practicable, the 6 above-named members of the board shall elect a 7th member who shall be a resident of Auburn or Lewiston but shall not hold any public municipal office or be a member of any municipal board or committee. If the 6 are unable to agree upon the naming of a 7th member of the board, any Justice of the Superior Court or Supreme Judicial Court, shall, on petition of any 4 of the members, select the 7th member of the board. The 7th member of the board shall serve for a 3-year term and thereafter until his successor is appointed, and may be elected to serve an additional 3-year term of office. When a vacancy occurs in the position of the 7th member of the board, a replacement shall be elected by the remaining members of the board to serve for the remainder of the term in the same manner as initial elections are held. The members of the board shall serve without compensa-

tion, but shall be reimbursed for their actual expenses incurred in the performance of their duties, on approval of the board.

Sec. 3. P&SL 1969, c. 113, § 9 is amended to read:

Sec. 9. **Authority's charter ratified.** The charter of the Lewiston-Auburn Water Pollution Control Authority is hereby ratified and the appointment of the ~~5th~~ 7th member of the board of the authority is confirmed and the acts of the members of the board in their capacity as members during their terms of office are hereby ratified and confirmed as official acts of the authority.

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

Effective May 16, 1975

CHAPTER 51

AN ACT Extending Eagle Lake Water and Sewer District to the Plantation of Wallagrass.

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

Sec. 1. P & SL 1955, c. 162, §§ 1, 2 and 4, as last amended by P & SL 1969, c. 206, §§ 1 to 3, are further amended to read:

Sec. 1. **Territorial limits and corporate name and purposes.** The inhabitants and territory within the Town of Eagle Lake in the County of Aroostook shall be, and hereby are, constituted a body politic and corporate under the name of the Eagle Lake Water and Sewer District for the purpose of supplying the Town of Eagle Lake, the Plantation of Wallagrass and the Plantation of Winterville and the inhabitants of said town and ~~plantation plantations~~ or any part of said town and ~~plantation plantations~~ with pure water for domestic, commercial, sanitary and municipal purposes, including the extinguishment of fires, and of supplying the Town of Eagle Lake, the Plantation of Wallagrass and the Plantation of Winterville and the inhabitants of said town and ~~plantation plantations~~ or any part of said town and ~~plantation plantations~~ with suitable and adequate sewerage facilities.

Sec. 2. **Powers of said Eagle Lake Water and Sewer District.** Said Eagle Lake Water and Sewer District is hereby authorized for the purposes aforesaid to take, collect, store, flow, use, detain, distribute and convey to the Town of Eagle Lake or any part thereof, the Plantation of Wallagrass or any part thereof or the Plantation of Winterville or any part thereof water from any lake, pond or stream and from any surface or underground brook, spring or vein of water in said Town of Eagle Lake, and is also authorized to locate, construct and maintain dams, cribs, reservoirs, locks, gates, sluices, aqueducts, pipes, conduits, standpipes, hydrants, pumping stations and other necessary structures and equipment therefor, and to do any and all things necessary in providing a system of sewerage and drainage for public purposes and for the health, comfort and convenience of the inhabitants of said district.

Sec. 4. **Authorized to lay mains, pipes, conduits, etc., through public ways and across private lands.** The said district is hereby authorized to lay in and