

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

One Hundred and Seventh Legislature

AT THE

1ST SPECIAL SESSION

JANUARY 19, 1976 TO APRIL 29, 1976

AND

2ND SPECIAL SESSION

JUNE 14, 1976

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH IN
ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 164, SUBSECTION 6.

PORTLAND LITHOGRAPH COMPANY
PORTLAND, MAINE
1977

PRIVATE AND SPECIAL LAWS
OF THE

STATE OF MAINE

AS PASSED BY THE

One Hundred and Seventh Legislature

AT THE FIRST SPECIAL SESSION

January 19, 1976 to April 29, 1976

AND THE SECOND SPECIAL SESSION

June 14, 1976

the authority and shall adopt and may thereafter amend bylaws for the conduct of its affairs. The board shall also establish a schedule of reasonable rates for the use of facilities. In fixing such rates, the board shall take into account the total capital investment of the authority and its predecessors in interest, the expense of properly maintaining the railroad facilities, the cost of necessary future expansion of the railroad and related facilities and the nature, frequency and extent of the use of the railroad facilities which the tenant or licensee proposes to make.

The authority shall establish an office at the railroad at which its business may be conducted and in which maps, plans, records and other papers relating to operation of the authority shall be kept, but the board of the authority may vote to hold its meetings at a more convenient location. The authority shall at all times keep full and accurate accounts of its receipts, expenditures, liabilities and assets, which shall at all reasonable times be open to inspection by authorized representatives of the City of Belfast or the stockholders of the Belfast and Moosehead Lake Railroad Company. The authority shall make an annual report of its activities for the preceding year to the Mayor and Council of the City of Belfast.

The authority shall have a seal consisting of a circular die bearing the words "Belfast and Moosehead Lake Railroad Authority 1976," which may be used whenever deemed advisable by the board on papers and documents issued or executed by it or its officers or employees on its behalf.

Sec. 14. Rules and regulations. The authority shall adopt and publish rules and regulations governing the use of the railroad and related facilities. Any violation of those regulations, which require compliance with standards of safe conduct by persons and corporations using the railroad and its related facilities, shall constitute a misdemeanor punishable by a fine of up to \$500.

Effective July 29, 1976

CHAPTER 131

AN ACT Relating to the Trustees of the Dexter Utility District.

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

Whereas, the Town of Dexter has changed its form of municipal government from a town meeting form to a town council form; and

Whereas, the present charter of the Dexter Utility District is predicated on the former municipal form of government of Dexter; and

Whereas, it is therefore necessary to alter the charter of the utility to conform to the new form of municipal government at the earliest possible moment; 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 1971, c. 29, § 7, is repealed and the following enacted in place thereof:

Sec. 7. Trustees; how elected; meetings; officers. All the affairs of said district shall be managed by a board of trustees composed of 5 members who shall be bona fide residents of the Town of Dexter. The present trustees shall continue in office until the expiration of their terms or until their successors are elected and qualified. The terms of the present trustees, as of the effective date of this Act, shall expire on December 31st of the year of the expiration of these present terms. Thereafter, the number of trustees whose terms expire each year shall be elected by the town at the annual municipal election, in the same manner as the municipal officers of the Town of Dexter are elected, to serve until the annual municipal election 3 years thereafter and until their successors are elected and qualified.

Whenever any trustee ceases to be a resident of the district, he vacates the office of trustee. All trustees, if resident of the district, shall be eligible for reelection. Vacancies in the office of trustee shall be filled by appointment by the municipal officers until the next annual municipal election of the Town of Dexter and, at such annual municipal election, the unexpired portion of such term, if any, shall be filled by election of a successor.

The trustees elected at each annual municipal election shall take office on December 31st immediately following their election. As soon as practicable in the following month of January, the board of trustees shall hold a meeting at some convenient place in the district and shall elect from their own number a chairman and a clerk and, not necessarily from their own number, a treasurer, to serve until the next annual election of trustees and until their respective successors are elected and qualified. They may adopt and amend bylaws and perform any other acts within the powers delegated to them by law.

The trustees from time to time may choose and employ and fix the compensation of any other necessary officers and agents, who shall serve at their pleasure. The treasurer shall furnish bond in such sum and with such sureties as the trustees shall approve, the cost thereof to be paid by the district. Members of the board of trustees shall be eligible to any office under the board. The trustees, as such, shall receive as compensation for their services, an amount to be determined by them not to exceed \$300 each per year; but the treasurer may be allowed such compensation as the trustees shall determine.

The trustees shall be sworn to the faithful performance of their duties as such, which shall include the duties of any member who shall serve as a clerk or clerk pro tem.

Sec. 2. P & SL 1971, c. 29, § 10, 2nd ¶, is amended to read:

The Town of Dexter, through its selectmen, without town vote municipal

officers, is authorized to sell, transfer and convey its said properties to said district in consideration of the assumption by said district of the outstanding debts, obligations and liabilities of the Town of Dexter associated with the operation of its water supply and sewerage system and any of the properties transferred to the district hereunder including, without limitation, the liability represented by the \$29,000 aggregate principal amount of outstanding Town of Dexter 4.5% Water Works Notes of 1968.

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

Effective March 23, 1976

CHAPTER 132

AN ACT Concerning Ice Fishing on Sebago Lake.

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

Whereas, the citizens of Standish and surrounding communities have traditionally fished during the winter in the lower bay of Sebago Lake, but have this winter been prevented from doing so because of the charter of the Portland Water District; and

Whereas, ice fishing in the lower bay of Sebago Lake plays an important part in the economy of Standish and surrounding communities in addition to providing a much needed recreational outlet for the citizens of those communities; and

Whereas, unless immediate legislative action is taken, ice fishing will be prohibited during this entire winter with consequent harm to the economy and morale of the citizens of Standish and surrounding communities; 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 1913, c. 157, § 2, first ¶, as last amended by P & SL 1971, c. 77, is further amended to read:

No person shall bathe ~~or carry on ice fishing~~ in the waters of Sebago Lake within 2 miles of the intakes of the Portland Water District, nor shall any person wash linen or other articles of personal apparel in the waters of said lake. In addition to the foregoing provision, no person shall, within the following described restricted area near the intakes of the Portland Water Dis-