

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE

ONE HUNDRED AND EIGHTH LEGISLATURE
AT THE

SECOND REGULAR SESSION

January 4, 1978 to April 6, 1978

FIRST SPECIAL SESSION

(No laws enacted)

September 6, 1978 to September 15, 1978

SECOND SPECIAL SESSION

October 18, 1978

THIRD SPECIAL SESSION

December 6, 1978

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

K. J. Printing
Augusta, Maine
1979

PRIVATE AND SPECIAL LAWS
OF THE

STATE OF MAINE

AS PASSED AT THE

SECOND REGULAR SESSION

of the

ONE HUNDRED AND EIGHTH LEGISLATURE

January 4, 1978 to April 6, 1978

election; but failure of approval by the necessary majority or percentage of voters shall not prevent subsequent elections.

The results of these elections shall be declared by the municipal officers of the Town of Vinalhaven and due certificate thereof filed by the town clerk with the Secretary of State.

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

Effective March 24, 1978

CHAPTER 100

AN ACT to Authorize Washington County to Raise Either \$1,200,000 for Construction or \$900,000 for Renovation of a Detention Center.

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

Sec. 1. Loan authorized. The treasurer of the County of Washington is authorized to procure, by loan on the faith and responsibility of that county, a sum of money not exceeding \$1,200,000 or \$900,000, as determined by the voters of Washington County under section 8, exclusive of and in addition to the loans authorized by existing statutes, for the purpose of building a detention center located in Machias, in the County of Washington, which may be either a renovation and enlargement of the present jail facilities or an entirely new jail facility at a different location, together with any land required therefor, as determined by the voters of Washington County under section 8.

Sec. 2. Procedure. The county commissioners are authorized to raise the sum of money necessary to carry out the purposes of this Act by following the provisions of either section 3, section 4 or section 5, or a combination thereof, as hereinafter provided.

Sec. 3. Aid from other sources. The county commissioners of the County of Washington are authorized to borrow any portion of the sums herein authorized from or through any agency or department of the State of Maine and of the United States Government. The county commissioners are authorized to receive grants of money and other assistance from or through any agency or department of the State of Maine and of the United States Government for any of the purposes herein authorized.

Sec. 4. Signing of notes authorized. The treasurer of Washington County is hereby authorized to sign notes of that county in an amount either not exceeding \$1,200,000 with interest not exceeding 12% payable annually or not exceeding \$900,000 with interest not exceeding 12% payable annually as determined by the voters of Washington County under section 8; these notes to mature not later than 20 years from the date thereof, as the county commissioners may fix; these notes to be signed by the treasurer and countersigned by the county commissioners of that county.

Sec. 5. Issuance of bonds authorized. The treasurer of Washington County is hereby authorized to issue bonds of that county therefor, with interest coupons attached, to an amount either not exceeding \$1,200,000 or not exceeding \$900,000, as determined by the voters of Washington County under section 8; these bonds to bear interest payable annually at a rate not exceeding 12% per year; the principal to be paid at such times not sooner than 20 years nor later than 30 years from the date thereof, as the county commissioners may fix; these bonds to be signed by the treasurer and countersigned by the county commissioners of that county and the coupons to bear the facsimile signature of the county treasurer.

Sec. 6. Duty of county commissioners. The county commissioners of the county are hereby authorized to issue bonds in such denominations as they may deem necessary and may provide for their maturity at varying dates, in no case more than 30 years from the date of issuance.

Sec. 7. Sinking fund created. The county commissioners are hereby authorized to create a sinking fund to provide for the payment of these notes or bonds at maturity.

Sec. 8. Referendum for ratification; effective date. This Act shall be submitted to the legal voters of Washington County at the general election in November, 1978. Washington County commissioners are authorized to expend such funds as are necessary to implement the referendum.

The county commissioners shall cause the preparation of the required ballots on which they shall state the subject matter of this Act in the following questions which shall appear on the ballot in the following sequence, one immediately after the other:

“Shall Washington County be authorized to raise \$1,200,000 for the construction of an entirely new jail facility?”

“Shall Washington County be authorized to raise \$900,000 for renovation and enlargement of the present jail facilities?”

The voters shall indicate by a cross or check mark placed against the words “Yes” or “No” their opinion of the same. The voters may vote “Yes” on only one of the above questions.

This Act shall take effect for all aforementioned purposes immediately upon its acceptance by a majority of the legal voters voting at this election provided that total number of votes cast for and against the acceptance of this Act equals or exceeds 30% of the total votes for all candidates for Governor cast in the last previous gubernatorial election in Washington County.

The result of this election shall be declared by the Washington County commissioners and due certificate filed with the Secretary of State.

Effective July 6, 1978

CHAPTER 101

AN ACT to Revise the Municipal Boundary between the Town of Old Orchard Beach and the City of Saco.

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

Whereas, the Old Orchard Beach pier has long provided an important recreational facility for the citizens of southern Maine and the entire State; and

Whereas, the present facility is inadequate to meet the changing and growing recreational needs of these citizens; and

Whereas, the Town of Old Orchard Beach is currently engaged in a study to determine the feasibility of the construction of a municipal pier; and

Whereas, the owners of the present Old Orchard Beach pier are planning an expansion and extension of that pier seaward and have made application to the Army Corps of Engineers to permit that expansion and extension; and

Whereas, the possible construction of a municipal pier or the extension of the present pier would place part of either facility within the municipality of Saco; and

Whereas, it is imperative for proper development and use of the pier that control, regulation and taxation of the facility be subject to one municipality only; and

Whereas, to permit ongoing planning and applications to be completed in time to avoid disruption of planned recreational use of the pier by Maine's citizens, it is imperative that the municipal boundary between Old Orchard Beach and Saco be immediately altered to permit either the planned municipal pier or the extended privately owned pier to be located entirely within the boundaries of Old Orchard Beach; 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