

# MAINE STATE LEGISLATURE

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**LAWS**  
OF THE  
**STATE OF MAINE**

AS PASSED BY THE

ONE HUNDRED AND TWELFTH LEGISLATURE

**FIRST REGULAR SESSION**

December 5, 1984 to June 20, 1985  
Chapters 384-End

AND AT THE

**FIRST SPECIAL SESSION**

November 13, 1985

PUBLISHED BY THE DIRECTOR OF REVISOR OF STATUTES IN  
ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,  
TITLE 3, SECTION 163-A, SUBSECTION 4.

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J.S. McCarthy Co., Inc.  
Augusta, Maine  
1985

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**PRIVATE AND  
SPECIAL LAWS**

OF THE

**STATE OF MAINE**

AS PASSED AT THE  
FIRST REGULAR SESSION

of the

ONE HUNDRED AND TWELFTH LEGISLATURE

1985

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

Effective May 16, 1985.

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## CHAPTER 24

H.P. 38 - L.D. 40

### AN ACT to Amend the Charter of the Bustin's Island Village Corporation.

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

Whereas, legislation is urgently needed to amend the charter of the Bustin's Island Village Corporation; and

Whereas, this legislation will relieve the Town of Freeport and the corporation from long and unduly burdensome regulations; 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. 213, §2, as amended by P&SL 1967, c. 17, is further amended by adding at the end a new sentence to read:

The corporation is further authorized to borrow funds towards accomplishing the purposes of this section.

Sec. 2. P&SL 1913, c. 213, §§2-A and 3-A are enacted to read:

Sec. 2-A. Town of Freeport relieved of certain obligations. The Town of Freeport is relieved from any and all duty to build, repair or maintain roads, streets or ways upon Bustin's Island or to perform any of the duties for which the corporation is authorized by Private and Special Laws of 1913, chapter 213, section 2, to raise money, and the town shall not be liable for any failure to perform any duty from which it is relieved by this section, but the corporation shall assume all of those duties.

Sec. 3-A. Annual payments by Town of Freeport. The Town of Freeport shall annually pay to the treasurer of the corporation a sum equal to 60% of all real estate and personal property taxes collected by the town out of the taxes

and estates on Bustin's Island, exclusive of any state or county tax or tax collected pursuant to the Private and Special Laws of 1913, chapter 213, section 8, that money to be expended by the corporation for its municipal purposes. The money to be paid annually to the treasurer of the corporation shall be paid each year as soon as practicable, but in no event later than 30 days after the start of each fiscal year, and the amount to be paid shall be computed on the basis of the taxes collected during the immediate preceding fiscal year.

Sec. 3. P&SL 1913, c.213, §4, first sentence is amended to read:

All moneys which shall be raised by ~~said~~ the corporation for the purposes named in section ~~two~~ 2 of this Act or for any other purpose, for which the corporation may lawfully raise money, shall be assessed upon the taxable polls and estates embraced within the limits of the corporation by the assessors of the Town of Freeport in the same manner as is provided by law for the assessment of town and county taxes; ~~provided,~~ that it shall not be legal for said assessment to exceed 5 mills on the dollar on estates; and that the total appropriations together with any indebtedness of said ~~corpe~~ corporation shall not exceed ~~two~~ two and one-half percent total valuation of said island as shown on the assessor's books of said town at the last ~~preceeding~~ preceding assessment.

Sec. 4. Referendum; acceptance of amendments. These amendments to the charter of Bustin's Island may be accepted within 2 years from the date of the Act being approved by the Governor. Their rejection during that period shall not prevent their acceptance at a later time during that period, but any meeting to vote on these amendments shall take place within the months of July and August.

This Act shall be submitted to the legal voters of the corporation at a regular or special meeting of the corporation, provided that the warrant calling the meeting contains an appropriate article for that purpose. The meeting shall be called and conducted according to the law governing meetings of the corporation, except voting on the article relating to this Act shall be accomplished by written ballot and voting by proxy shall not be allowed on this article, but voting by absentee ballot in the form and manner prescribed by law for municipal elections shall be allowed.

The overseers shall prepare ballots upon which shall be the question: "Do you favor amending the Bustin's Island Corporation charter, as proposed by the Legislature, to:

1. Relieve Freeport from having to perform municipal services for the corporation; and
2. Make the following changes with respect to the corporation:
  - A. Return to it 60% of the real estate and personal property taxes collected by the town;
  - B. Authorize it to borrow money to fund municipal services; and

C. Remove the limits on the taxes it may assess and the indebtedness it may incur?"

If this Act is accepted by a majority of the legal voters voting at such a meeting in person or by absentee ballot, and the total number of votes cast equaled or exceeded 50% of the total number of votes cast in the last regular election of overseers, then this Act shall take effect.

The result of the vote taken at the meeting shall be declared in open meeting by the overseers and a certificate of the result of the meeting shall be filed by the clerk with the Secretary of State.

**Emergency clause.** In view of the emergency cited in the preamble, this Act shall take effect when approved by the Governor so far as to authorize the calling of a meeting of the village corporation for the purpose of voting upon the acceptance of these charter amendments. Whenever these amendments shall be accepted by a majority of the voters of the corporation at a legal meeting called for that purpose, then the same shall take and have complete effect in all their parts.

Effective Pending Referendum.

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## CHAPTER 25

S.P. 391 - L.D. 1090

AN ACT Making Allocations Related to the  
Alcoholism Prevention, Education,  
Treatment and Research Fund for the  
Expenditures of State Government for  
the Fiscal Years Ending June 30, 1986,  
and June 30, 1987.

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

Whereas, the 90-day period may not terminate until after the beginning of the next fiscal year; and

Whereas, certain obligations and expenses incident to the operation of the departments will become due and payable on or immediately after July 1, 1985; 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,