

MAINE STATE LEGISLATURE

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N I N E T Y - S I X T H L E G I S L A T U R E

Legislative Document

No. 1192

H. P. 1051

House of Representatives, February 26, 1953

Referred to the Committee on Legal Affairs. Sent up for concurrence and ordered printed.

HARVEY R. PEASE, Clerk

Presented by Mrs. Downing of North Kennebunkport by request.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FIFTY-THREE

AN ACT Relating to the York Beach Village Corporation.

Emergency preamble. Whereas, the York Beach Village Corporation and the inhabitants thereof have been created a body corporate and politic by previous legislative enactments; and

Whereas, certain of the powers and authority which have been granted to it by previous legislative enactments are placed in doubt by some persons; and

Whereas, some of its granted powers are being arrogated by another municipal body, namely, the town of York; and

Whereas, the said corporation and its inhabitants desire to have these doubts resolved so that its affairs will not be jeopardized; and

Whereas, said corporation and its inhabitants desire to have its powers and authority clarified so that its powers and authority will not be arrogated; and

Whereas, in the judgment of the legislature, these facts create an emergency within the meaning of the constitution 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:

P. & S. L., 1901, c. 455, § 3. Section 3 of chapter 455 of the private and special laws of 1901, as amended, is hereby repealed and the following enacted in place thereof:

‘Sec. 3. Rights, powers and privileges. Said corporation, and the municipal officers thereof, within the territorial limits of said corporation, shall have, and are hereby specifically granted, all the rights, powers, privileges and authority which towns have, or which the municipal officers of towns have, under the provisions of the revised statutes and the public laws of the state of Maine, except for those public duties and charges which remain in the town of York, namely: maintenance and support of the public schools, maintenance of public health, maintenance and support of the poor, maintenance and repair of the town sewers and drains therein, such construction of drains and sewers, and the maintenance and repair thereof, as the town may vote to build within said corporation, the processes for assessing and collecting the estate and poll taxes, and the collection of the excise taxes; and, also, all the powers, duties, privileges, and authority granted by said revised statutes, and said public laws to selectmen, clerks, treasurers, constables and other officers of towns are hereby respectively granted to, and vested in, the assessors, clerk, treasurer, constables and other corresponding officers of said corporation; and also, all the rights and powers conferred and all the duties, penalties and obligations imposed by said revised statutes and said public laws on towns and on persons for the benefit of, and for the protection of, towns and of persons, and of their drains, sewers and property, shall be possessed by, and imposed on, the corporation and persons for the benefit of, and for the protection of, the corporation and of the persons, and of their drains, sewers and property; and also, said corporation and its municipal officers shall have, and are hereby specifically granted, all the rights, powers, privileges, duties and authority which towns have, or which the municipal officers of towns have, under the provisions of sections 84 to 89, inclusive, of chapter 80 of the revised statutes of 1944, as amended, relating to Municipal Planning and Zoning. Provided, however, that the assessors of said corporation shall have the power to construct drains and sewers at the expense of the corporation, but not without a vote of the corporation, at some legal meeting called therefor, authorizing such construction.’

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