

# MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND NINTH LEGISLATURE

Legislative Document

No. 959

H. P. 753

House of Representatives, March 2, 1979

Referred to the Committee on Local and County Government. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. McPherson of Eliot.

Cosponsor: Mr. Tuttle of Sanford.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-NINE

**AN ACT to Separate Ogunquit Village Corporation from the Town of Wells.**

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

**Sec. 1. Separation; incorporation.** All that section of the Town of Wells in the county of York now chartered and known as Ogunquit Village Corporation described as follows: Commencing at the southeasterly point of the boundary line between the Village of Ogunquit in the Town of Wells and the Town of York, at the Atlantic Ocean and extending northwesterly along the boundary line to the south branch of the Ogunquit River; thence by the Ogunquit River to the intersection of Stevens Brook with the Ogunquit River, thence south 55 degrees east course to the Atlantic Ocean, thence by the Atlantic Ocean to the boundary line between the Village of Ogunquit in the Town of Wells and the Town of York and point of beginning, together with the inhabitants thereof is hereby separated and set off from the Town of Wells and incorporated into a separate town by the name of Ogunquit; and the Town of Ogunquit is hereby invested with all the powers and privileges and subject to all the duties and obligations incident to other towns functioning under the general laws of the State.

**Sec. 2. Taxes.** The inhabitants of the Town of Ogunquit shall be bound to pay all taxes which have been legally assessed upon them by the Town of Wells, and the collector of taxes for the Town of Wells is hereby authorized and required to

collect and pay over all taxes to him already committed according to his warrants. All moneys now in the treasury of the Town of Wells, and all sums which shall hereafter be received from taxes heretofore assessed, shall be applied to the several purposes for which they were raised, and in case of any excess, the excess shall be apportioned to the Towns of Wells and Ogunquit in proportion to the valuation of the property and polls as made April 1, 1978, and the treasurer of the Town of Wells shall pay over to the treasurer of the Town of Ogunquit such sums as may be found due the Town of Ogunquit. The county commissioners of York County shall make the apportionment.

**Sec. 3. Existing liabilities.** The existing liabilities and obligations of the Town of Wells and Ogunquit Village Corporation shall be divided as follows: The town debts and the corporation debts shall be totalled and borne by the Town of Wells and Town of Ogunquit in proportion to the valuation of their respective territories as of April 1, 1978. All paupers now supported by the aid of the Town of Wells and Ogunquit Village Corporation shall, after division, be maintained and supported by the town in which territory they resided when they became paupers. Each town shall henceforth bear all expenses for the care and maintenance of all roads and bridges within its respective limits.

**Sec. 4. Division of property.** All the property, real and personal of the Town of Wells and of Ogunquit Village Corporation shall be the property of the town in which it is now located. It shall be appraised by the commissioners of York County and each town shall be charged with the appraised value thereof. The difference between the appraisal of the property taken by each town shall be paid by the town taking the larger amount, and it shall be divided between the 2 towns in proportion to the valuation of their respective territories as established by the respective assessors on April 1, 1978. Provided that the debt resulting from the within formula shall be first paid by the debtor town by its assuming existing liabilities and obligations of the creditor town which result from the division of existing liabilities under section 3. The books, papers and records of the Town of Wells shall be retained by the Town of Wells, and each town shall have access to the same.

**Sec. 5. First town meeting.** After the effective date of this Act and after approval of the same by the voters of Ogunquit Village Corporation, any justice of the peace or notary public in the County of York may issue his warrant to any legal voter in the Town of Ogunquit, directing him to notify the inhabitants thereof to meet at a time and place specified in the warrant, giving at least 7 days' notice thereof, for the choice of town officers, and to transact such business as towns are authorized to do.

**Sec. 6. Legislative district.** Until the next legislative apportionment of representatives, the Town of Ogunquit shall remain in the same legislative district in which Ogunquit Village Corporation is now classed.

**Sec. 7. Referendum vote.** This Act shall be submitted to the legal voters of Ogunquit Village corporation at the regular corporate election in 1980 and

warrants shall be issued for the election in the manner now provided by the charter for the holding of those elections, notifying and warning the qualified voters of the corporation to vote on the approval or rejection of this Act.

The corporation clerk of Ogunquit Village Corporation shall prepare the required ballots on which he shall reduce the subject matter of this Act to the following question:

“Shall Ogunquit Village Corporation be separated from the Town of Wells as an incorporated Town of Ogunquit?”

The voters shall indicate by a cross or checkmark placed against the words “Yes” or “No” their opinion of the same.

This Act shall take effect for Ogunquit Village Corporation upon its acceptance by a majority of the legal voters of the corporation voting at the election. If the corporation approves this Act, the Act shall become effective January 1, 1981.

The results of the vote of the corporation shall be declared by the overseers of the corporation and due certification thereof shall be filed by the clerk of the corporation with the Secretary of State.

**Sec. 8. P. & S.L. 1913, c. 203**, as last amended by P. & S.L. 1975, c. 59, §§ 1 and 2 is repealed.

#### STATEMENT OF FACT

The purpose of this bill is to separate Ogunquit Village Corporation from the Town of Wells and incorporate it into a separate town by the name of Ogunquit.