

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND TENTH LEGISLATURE

Legislative Document

No. 146

H. P. 113

House of Representatives, January 7, 1981

Referred to the Committee on Public Utilities. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Murphy of Kennebunk.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY-ONE

AN ACT to Change the Name of the Kennebunk Sewer District to the Kennebunk Sanitary District.

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

Sec. 1. P&SL 1955, c. 69, § 1, is amended to read:

Sec. 1. Territorial limits. The territory, and the inhabitants therein, of the town of Kennebunk which is situated between the Atlantic Ocean and the southeasterly side of the Maine Turnpike is hereby made and declared to be a public sewerage district and a body politic and corporate under the name of "Kennebunk Sewer Sanitary District" and shall be a system of public sewerage constructed, maintained and operated for the public health and welfare and for the benefit of said residents and of the property therein served by said sewerage facility, in the manner, with the rights, duties and immunities hereinafter in this act set forth.

Sec. 2. P&SL 1955, c. 69, § 2, is amended to read:

Sec. 2. Authority to contract and maintain. Within said territory said Kennebunk Sewer Sanitary District is hereby authorized to lay pipes, drains, sewers and conduits, and to take up, repair and maintain the same or to contract for the same to be done, in and along the public ways, private ways and public grounds, and through lands of any person or corporation as hereinafter provided, to and into tidal waters, rivers, watercourses or filtration plants or to or into any

drain or sewer now or hereafter built which empties into tidal waters, rivers or into any watercourse or filtration plant, the discharge therefrom to be at such points consistent with the requirements of public health as shall be found convenient and reasonable for said district and the flow of existing water courses; also to construct and maintain filtration plants, pumping stations, basins, reservoirs, flush tanks and such other appliances for collecting, holding, purifying, distributing and disposing of sewage matter and surface or waste waters as may be necessary and proper; and in general, do any or all things incidental to accomplish the purposes of this ~~aet~~ Act.

Sec. 3. P&SL 1955, c. 69, § 4, is amended to read:

Sec. 4. Right of eminent domain conferred. Said Kennebunk Sewer Sanitary District is hereby expressly granted the right of eminent domain, and for the purposes of this ~~aet~~ Act is authorized to take and hold, either by exercising its right of eminent domain, or by purchase, lease or otherwise, as for public uses any land, easements or interests therein, and any sewers or sewer rights necessary for constructing, establishing, maintaining and operating sewers, reservoirs, flush tanks, manholes, catch basins, filtration plants, pumping stations and other appliances and property, used or usable, for collecting, holding, purifying and disposing of sewage matter and waste waters.

Sec. 4. P&SL 1955, c. 69, § 13, first sentence, is amended to read:

After the meeting for acceptance of this charter, the trustees shall have the same powers and perform the same duties as otherwise are exercised and performed by the selectmen of towns in correcting and preparing lists of the persons qualified to vote in said district, and for that purpose they shall be in session at the office of the said ~~sewer sanitary~~ district between the hours of 10 o'clock in the forenoon and 12 o'clock noon of the secular day next before the date of every meeting; and 2 hours next before the opening of the meeting; and notice thereof shall be given in the call for the meeting.

Sec. 5. P&SL 1955, c. 69, § 14, is amended to read:

Sec. 14. Authorized to acquire sewage system of town; right of eminent domain conferred. Said ~~sewer sanitary~~ district is hereby authorized and empowered to acquire by purchase or by the exercise of the right of eminent domain, which right is hereby expressly delegated to said district for said purpose, the entire plant and property of the sewage system, or any part thereof, now in said district and owned by the town of Kennebunk; and the town of Kennebunk is hereby authorized and empowered to sell to said district its said sewage plant and system or any part thereof, provided the voters in said town shall, at a town meeting legally called, notified and held, vote to do so.

Sec. 6. P&SL 1955, c. 69, § 16, 6th sentence, as amended by P&SL 1957, c. 8, is further amended to read:

Each bond or note shall have inscribed on its face the words "Kennebunk Sewer Sanitary District," shall bear the district seal, shall be signed by the treasurer

and countersigned by the chairman of its board of trustees and any interest coupons attached thereto shall bear the facsimile signature of its treasurer.

Sec. 7. P&SL 1955, c. 69, § 17, ¶ III, is amended to read:

III. To provide each year a sum equal to not less than 1% nor more than 5% of the entire indebtedness created by said ~~sewer~~ **sanitary** district, which sum shall be turned into a sinking fund and there kept to provide for the extinguishment of said indebtedness. Money set aside for the sinking fund shall be devoted to the retirement of the obligations of said ~~sewer~~ **sanitary** district, or invested in such securities as savings banks in this State are allowed to hold;

STATEMENT OF FACT

The purpose of this bill is to change the name of the Kennebunk Sewer District to the Kennebunk Sanitary District.