

MAINE STATE LEGISLATURE

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1 SECOND REGULAR SESSION
2

3 ONE HUNDRED AND TWELFTH LEGISLATURE
4

5 Legislative Document

No. 2001

6
7 H.P. 1417

House of Representatives, February 10, 1986

8 Approved for introduction by a majority of the Legislative Council
9 pursuant to Joint Rule 26.

Reference to the Committee on Utilities suggested and ordered printed.

10 EDWIN H. PERT, Clerk

Presented by Representative Murphy of Kennebunk.
11 Cosponsored by Senator Dutremble of York.

12 STATE OF MAINE
13

14 IN THE YEAR OF OUR LORD
15 NINETEEN HUNDRED AND EIGHTY-SIX
16

17 AN ACT to Amend the Charter of the Sewer
18 District of the Town of Kennebunk.
19

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

22 Sec. 1. P&SL 1955, c. 69, §3, 2nd and 3rd ¶¶ are
23 repealed and the following enacted in their place:

24 The terms of the trustees of the district in of-
25 ice on the date of this Act shall expire at midnight
26 on the day of the annual town meeting of the Town of
27 Kennebunk occurring in the year in which those terms
28 would have expired under the law in effect at the
29 time of their elections. Thereafter, the trustees of
30 the district shall be elected at the annual town
31 meeting of the Town of Kennebunk to serve until the
32 annual town meeting occurring 5 years after their
33 elections. Vacancies occurring after the effective
34 date of this provision shall be filled for the unex-
35 pired term by the municipal officers of the Town of
36 Kennebunk, unless the vacancy occurs within 3 months

1 prior to the next annual town meeting, in which event
2 the vacancies shall be filled at the annual town
3 meeting. Whenever any trustee ceases to be a resi-
4 dent of the district, he vacates his office.

5 At an organizational meeting to be held on the
6 first Thursday following the annual town meeting, the
7 trustees shall elect from their own number a chair-
8 man, a clerk and a treasurer, and shall adopt bylaws
9 and perform any other acts within the powers dele-
10 gated to them by law. They may choose and fix the
11 compensation of any other necessary officers and
12 agents who shall serve at their pleasure. The trea-
13 surer shall furnish bond in such sum and with such
14 sureties as the trustees shall approve, the cost of
15 the bond to be paid by the district. Members of the
16 board of trustees shall be eligible to any office un-
17 der the board. The trustees as such shall serve
18 without compensation; but the treasurer may be al-
19 lowed such compensation as the trustees shall deter-
20 mine.

21 Sec. 2. P&SL 1955, c. 69, §4 is repealed and the
22 following enacted in its place:

23 Sec. 4. Eminent domain; authority and proce-
24 dures. The Kennebunk Sewer District shall have and
25 exercise the power of eminent domain in accordance
26 with the Maine Revised Statutes, Title 38, section
27 1252, subsection 2.

28 Sec. 3. P&SL 1955, c. 69, §§5 and 6 are re-
29 pealed.

30 Sec. 4. P&SL 1955, c. 69, §8 is amended to read:

31 Sec. 8. Rights and obligations of abutters or
32 others to enter. Any person may enter his private
33 drain sanitary sewer into any sewer of the district
34 while the same is under construction and before com-
35 pletion of said the sewer at the point of entry, and
36 before an entrance charge is established, on obtain-
37 ing a permit in writing from the trustees; but after
38 the sewer is completed to the point of entry and an
39 entrance charge established on that location, no per-
40 son shall may enter his private drain sanitary sewer
41 into such the sewer until he has paid the entrance

1 charge and obtained a permit in writing from the
2 trustees as aforesaid. All such permits shall be re-
3 corded by ~~the clerk of~~ the district in its records
4 before the same are issued.

5 The owner, or persons in possession, or against
6 whom taxes are assessed, of all buildings or premises
7 intended for human habitation, occupancy or use,
8 abutting on a street in which there is a sewer main-
9 tained by this district, or if ~~such~~ the buildings
10 stand on premises which are benefited and to which
11 sewer service is available, shall connect with ~~said~~
12 the sewer in the most direct manner possible within
13 90 days after receiving notice thereof from the sewer
14 district, or within such further time as its trustees
15 may grant, except as otherwise provided in the Maine
16 Revised Statutes, Title 38, section 1252, subsection
17 3.

18 Sec. 5. P&SL 1955, c. 69, §12, as amended by
19 P&SL 1961, c. 33, §1, is repealed and the following
20 enacted in its place:

21 Sec. 12. Meetings of the district; qualification
22 of district voters. Trustees of the district may
23 call meetings of the district at any time. Notice of
24 the meeting, signed by the chairman or clerk of the
25 board, shall be conspicuously posted at the Kennebunk
26 Town Hall, not less than 7 days before the meeting
27 and shall state the business to be transacted at that
28 meeting.

29 On the written petition of 10% of the voters of
30 the district, the trustees shall call a meeting of
31 the district within 60 days.

32 All persons resident in the district and quali-
33 fied to vote for Governor under the laws of this
34 State shall be entitled to vote in any meeting of the
35 district.

36 Sec. 6. P&SL 1955, c. 69, §12-A is enacted to
37 read:

38 Sec. 12-A. Meetings of the trustees. The trust-
39 ees of the district may call meetings of the board of
40 trustees at any time. Notice of the regularly sched-

1 uled meetings of the board of trustees, signed by the
2 chairman or clerk of the board, shall be posted at
3 the Kennebunk Town Hall, not less than 7 days before
4 the meeting, and stating the business to be trans-
5 acted at any such meeting.

6 Special meetings of the board may be called in
7 like manner as regularly scheduled meetings on one
8 day's notice.

9 In the event of an emergency meeting, local rep-
10 resentatives of the media shall be notified of the
11 meeting, whenever practical; the notification shall
12 include time and location, by the same or faster
13 means used to notify the members of the agency con-
14 ducting the public proceeding. The minutes of any
15 emergency meeting shall state the reason for the
16 meeting.

17 Sec. 7. P&SL 1955, c. 69, §13 is repealed and
18 the following enacted in its place:

19 Sec. 13. Registration of voters of the district.
20 The preparation and correction of lists of the per-
21 sons qualified to vote in the district shall be the
22 responsibility of the registrar of the Town of
23 Kennebunk as defined in the Maine Revised Statutes,
24 Title 21-A, section 1, subsection 38, and shall be
25 performed under the same procedure governing the
26 preparation and correction of lists of persons quali-
27 fied to vote in town elections. All meetings of the
28 district shall be presided over by a moderator chosen
29 in the same manner and with the same authority as
30 moderators of town meetings.

31 Sec. 8. P&SL 1955, c. 69, §19-A is enacted to
32 read:

33 Sec. 19-A. District personnel records. The per-
34 sonnel records of the district shall be confidential
35 to the same extent as municipal records pursuant to
36 the Maine Revised Statutes, Title 30, section 2257,
37 subsection 1 and the records shall be reviewable by
38 employees of the district to the same extent and in
39 the same manner as is provided for municipal person-
40 nel records pursuant to the Maine Revised Statutes,
41 Title 30, section 2257, subsection 2.

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STATEMENT OF FACT

2 This bill changes the time at which elections for
3 water district trustees are held from the annual dis-
4 trict meeting in July to a time to coincide with mu-
5 nicipal elections, changes the provisions concerning
6 procedure for notice of meetings and makes other
7 technical changes in the charter.

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