

MAINE STATE LEGISLATURE

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119th MAINE LEGISLATURE

FIRST REGULAR SESSION-1999

Legislative Document

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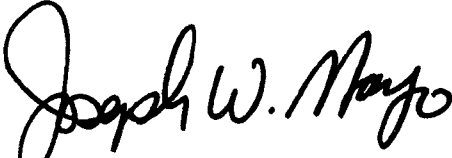
H.P. 1065

House of Representatives, February 25, 1999

An Act to Amend the Charter of the Kennebunk Sewer District.

(EMERGENCY)

Reference to the Committee on Utilities and Energy suggested and ordered printed.


JOSEPH W. MAYO, Clerk

Presented by Representative MURPHY of Kennebunk.
Cosponsored by Senator LaFOUNTAIN of York.

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

4 Whereas, this legislation requires referendum approval
6 before it can take effect; and

8 Whereas, this referendum is connected with the Kennebunk
town meeting to be held on June 8, 1999; and

10 Whereas, unless this Act is enacted before that date, the
12 referendum will require a special election, which would be a
considerable financial burden on the Town of Kennebunk; and

14 Whereas, in the judgment of the Legislature, these facts
16 create an emergency within the meaning of the Constitution of
Maine and require the following legislation as immediately
18 necessary for the preservation of the public peace, health and
safety; now, therefore,

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

22 **Sec. 1. P&SL 1955, c. 69, §1,** as amended by P&SL 1995, c. 7, §1
24 and affected by §2, is further amended to read:

26 **Sec. 1. Territorial limits.** The territory and the inhabitants of
28 the Kennebunk Sewer District is identical to the boundaries of
~~the Town of Kennebunk situated between the Atlantic Ocean and the~~
~~southeasterly side of the Maine Turnpike and the territory of the~~
~~Town of Kennebunk situated on the northwesterly side of the Maine~~
~~Turnpike and described on the March 1994 Town of Kennebunk tax~~
30 ~~maps as follows:--Map 36, Lot 5; Map 36, Lot 6; P/O 36, Lot 7;~~
32 ~~P/O 36, Lot 7A; Map 36, Lot 7B; P/O 37, Lot 5; Map 45, Lot 18;~~
34 ~~Map 45, Lot 18A; Map 45, Lot 19; P/O 45, Lot 14; P/O 78, Lot 18;~~
~~Map 88, Lot 15; Map 88, Lot 24; Map 88, Lot 24A; Map 88, Lot 24B;~~
36 ~~Map 89, Lot 1; Map 89, Lot 20~~ and the inhabitants of that
territory are a public sewerage district and a body politic and
38 corporate under the name of "Kennebunk Sewer District," which is
a system of public sewerage constructed, maintained and operated
40 for the public health and welfare and for the benefit of the
residents and of the property in the town served by the sewerage
42 facility, in the manner, with the rights, duties and immunities
described in this Act.

44 **Sec. 2. Emergency clause; referendum; effective date.** In view of
46 the emergency cited in the preamble, this Act takes effect when
approved only for the purpose of permitting its submission to the
48 legal voters within the Town of Kennebunk at the next regular
town election to be held on June 8, 1999 or at a special town
50 meeting to be called and held for the purpose within

2 3 months of the approval of this Act. This election must be
4 called, advertised and conducted according to the law relating to
6 municipal elections, except that the registrar of voters is not
8 required to prepare or the town clerk to post a new list of
10 voters. For the purpose of registration of voters, the registrar
of voters shall be in session on the secular day next preceding
the election. The town clerk of the town shall prepare the
required ballots, on which the town clerk shall reduce the
subject matter of this Act to the following question:

12 "Do you favor changing the boundaries of the Kennebunk Sewer
14 District to make them identical to the boundaries of the
Town of Kennebunk?"

16 The voters shall indicate by a cross or check mark placed
against the word "Yes" or "No" their opinion of the same.

18 The results must be declared by the municipal officers of
20 the Town of Kennebunk and due certificate of the results filed by
the town clerk with the Secretary of State.

22 This Act takes effect immediately upon its acceptance by a
24 majority of the legal voters voting at the election.

26 **SUMMARY**

28 This bill amends the Charter of the Kennebunk Sewer District
30 by amending the district's boundaries to make them identical to
the boundaries of the Town of Kennebunk.