

MAINE STATE LEGISLATURE

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123rd MAINE LEGISLATURE

FIRST REGULAR SESSION-2007

Legislative Document

No. 1221

S.P. 422

March 8, 2007

An Act To Amend the Charter of the Kennebunk Light and Power District

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

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator SULLIVAN of York.

Cosponsored by Representative BABBIDGE of Kennebunk and Senators: BARTLETT of
Cumberland, HOBBS of York, Representative: CONNOR of Kennebunk.

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

2 **Sec. 1. P&SL 1951, c. 53, §3** is repealed and the following enacted in its place:

3 **Sec. 3. Territorial limits.** The territorial limits within which the district may sell,
4 distribute and furnish electricity for light, heat and power to individuals, partnerships,
5 firms and corporations are the entire territory of the Town of Kennebunk; and the
6 territorial limits of the Kennebunk Light and Power District include those parts of the
7 Town of Lyman, the Town of Wells and the Town of Arundel, formerly known as North
8 Kennebunkport, that the Kennebunk Light and Power District was providing service on
9 November 7, 2006 and may include in addition those portions of the Town of Lyman, the
10 Town of Wells and the Town of Arundel in which at the time no other public utility was
11 furnishing electric service. Extension of service by the district within the Town of
12 Lyman, the Town of Wells and the Town of Arundel after November 7, 2006 is subject to
13 the consent of the Public Utilities Commission in accordance with the Maine Revised
14 Statutes, Title 35-A, sections 2102, 2105 and 2110 as amended.

15 **Sec. 2. P&SL 1951, c. 53, §4** is amended to read:

16 **Sec. 4. Power of sale and purchase.** ~~Any~~ The Kennebunk Light and Power
17 District is authorized to acquire by purchase the plants, properties, rights, privileges and
18 franchises of any public utility now furnishing electric service to the public within the
19 territorial limits of said the district is hereby authorized to acquire by purchase the plants,
20 properties, rights, privileges and franchises of the Kennebunk Light and Power District
21 and after acquisition shall have, hold, exercise and enjoy in its own name all of said the
22 plants, properties, rights, privileges and franchises as though originally granted to it, and
23 said Kennebunk Light and Power District the public utility is hereby authorized to
24 convey its plants, properties, rights, privileges and franchises to such public utility the
25 Kennebunk Light and Power District.

26 **Sec. 3. Resolve disagreement.** The Public Utilities Commission is authorized to
27 resolve by hearing and order any disagreement or dispute between the Kennebunk Light
28 and Power District and any public utility as to the valuation of facilities under Private and
29 Special Law 1951, chapter 53, section 4 as amended by this Act and any issue with
30 respect to the severance or realignment of facilities rated 50 kilovolts or below resulting
31 from any acquisition of facilities by Kennebunk Light and Power District from the public
32 utility.

33 **Sec. 4. Referendum; effective date.** This Act takes effect only for the purpose
34 of permitting its submission to the legal voters within the Town of Kennebunk at an
35 election called for that purpose and held by December 31, 2008. The election must be
36 called, advertised and conducted according to the law relating to municipal elections,
37 except that the registrar of voters is not required to prepare or the clerk to post a new list
38 of voters. For purposes of registration of voters, the registrar of voters must be in session
39 the secular day next preceding the election. The subject matter of this Act is reduced to
40 the following question:

