

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Ninety-seventh Legislature

OF THE

STATE OF MAINE

Published by the Director of Legislative Research in accordance with subsection VI of section 27 of chapter 10 of the Revised Statutes of 1954.

KENNEBEC JOURNAL
AUGUSTA, MAINE
1955

Private and Special Laws

OF THE

STATE OF MAINE

As Passed by the Ninety-seventh Legislature

1955

Chapter 166

AN ACT to Amend the Charter of the Ogunquit Village Corporation.

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

P. & S. L., 1913, c. 203, § 2, amended. The 2nd paragraph of section 2 of chapter 203 of the private and special laws of 1913, as amended by chapter 120 of the private and special laws of 1931, is hereby further amended to read as follows:

'Said corporation is hereby authorized and empowered to negotiate its note or notes to procure a temporary loan or loans for the payment, in whole or in part, of any obligation or for any purpose for which said corporation may legally appropriate money, in anticipation of the payment of its annual funds by the town of Wells as herein provided, and to issue its note or notes therefor, at interest, and for terms of not more than 1 year; the aggregate amount of such temporary loans in any one year shall not exceed ~~five thousand dollars~~ one-half the amount paid to said corporation by the town of Wells for the preceding year; and notes issued under the provisions of this section for a shorter period than 1 year may be refunded by the issue of other notes maturing within the required period; provided, however, that the period from the date of issue of the original loan and the date of maturity of the refunding loan shall not be more than one year, and provided further, that no notes shall be refunded under the provision of this section except under the authority of such vote as is required for the original borrowing; and provided further, that no such note or notes, so issued, shall be valid if written for a longer term than 1 year, and no refunding note shall be valid if the period between the date of the original note and the date of the maturity of such refunding note is more than 1 year; nor unless the original vote authorizing such note or notes states that they are to be paid out of moneys received from the town of Wells as herein provided during the current year in which said notes are issued. Said notes when authorized by the legal voters present at any regular or special meeting, issued as herein provided, and duly signed by the treasurer and board of overseers of said corporation shall be its legal obligations.

In addition to the foregoing, said corporation is further authorized and vested with the power:

- (1) to provide for planning and zoning in accordance with sections 93 to 99, inclusive, of chapter 91 of the Revised Statutes of 1954;
- (2) to establish, maintain, conduct and finance recreational facilities according to the Revised Statutes of Maine and to charge for the use thereof;
- (3) to borrow reasonable sums of money for permanent public improvements for purposes over which said corporation has been granted authority by its charter; and
- (4) to exercise the right of eminent domain, as now exercised and performed by towns and their selectmen in conformity with state laws relative thereto, in carrying out the activities over which the said corporation has been granted authority; and to take by eminent domain such portions of the Marginal Way as are now in general use but not included in the Josiah Chase plan, where a right-of-way cannot be acquired by gift or purchase at a reasonable fee.'

Effective date; referendum; certificate to Secretary of State. This act shall take effect 90 days after the adjournment of this Legislature, only for the purpose of permitting its submission to the legal voters of the "Ogunquit Village Corporation" at any special or annual meeting of the above named corporation held within 1 year from the above effective date. Such meeting shall be called, advertised and conducted according to the charter of the Ogunquit Village Corporation, an appropriate article being inserted in the call for such meeting. The clerk of the Ogunquit Village Corporation shall prepare the required ballots on which he shall reduce the subject matter of this act to the following questions:

I. "Shall the amount of temporary loans in any one year not exceed one-half the amount paid the Ogunquit Village Corporation by the town of Wells for the preceding year?"

II. "Shall the Ogunquit Village Corporation be authorized to provide for planning and zoning in accordance with chapter 91 of the Revised Statutes?"

III. "Shall the Ogunquit Village Corporation be authorized to establish, maintain, conduct and finance recreational facilities and charge for the use thereof?"

IV. "Shall the Ogunquit Village Corporation be authorized to borrow reasonable sums for permanent public improvements for purposes over which it has been granted authority by its charter?"

V. "Shall the Ogunquit Village Corporation be authorized to exercise the right of eminent domain in carrying out the activities over which it has been granted authority; and to take by eminent domain such portions of the Marginal Way as are now in general use but not included in the Josiah Chase plan, where a right-of-way cannot be acquired by gift or purchase at a reasonable fee?"

and the voters shall indicate by a cross or check mark placed against the words "Yes" or "No" their opinion on each question. The result of the vote in the said corporation shall be declared by the overseers of said corporation and a certificate thereof shall be filed by the clerk of said corporation with the Secretary of State. This act shall take effect for all the purposes hereof immediately upon its acceptance by a majority of the voters voting at said meeting and the filing of the aforesaid certificate with the Secretary of State.

Effective August 20, 1955

Chapter 167

AN ACT Relating to Payments by Town of York to York Beach Village Corporation.

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

P. & S. L., 1917, c. 129, § 4, repealed and replaced. Section 4 of chapter 129 of the private and special laws of 1917, as amended by section 1 of chapter 3 of the private and special laws of 1923, is hereby repealed and the following enacted in place thereof: