

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

One Hundred and First Legislature

OF THE

STATE OF MAINE

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PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE

As Passed by the One Hundred and First Legislature

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such water system so acquired or constructed by the city under these provisions shall be operated as a department of the city government under the supervision of the city manager and the city is further authorized to raise and appropriate necessary funds for these purposes by any of the lawful methods provided in the Revised Statutes of 1954, chapter 90-A, as enacted by section 1 of chapter 405 of the public laws of 1957. The city is further authorized to purchase from any private water company serving its inhabitants the entire facilities of said private water company and to assume any associated contractual obligations, including, among other things, contracts for the purchase of water for use in the system.'

Referendum; effective date; certificate to Secretary of State. This act shall take effect 90 days after adjournment of the Legislature, only for the purpose of permitting its submission to the legal voters of the City of Calais at any regular or special election called and held for the purpose within 2 years after the effective date of this act. Such special election shall be called, advertised and conducted according to the law relating to municipal elections; provided that the board of registration in the City of Calais shall not be required to prepare for posting, nor the city clerk to post, a new list of voters; and for the purpose of registration of voters said board shall be in session the 3 secular days next preceding such election, the first 2 days thereof to be devoted to the registration of voters and the last day to enable the board to verify the corrections of said lists and to complete and close up its records of said sessions. A check list shall be used at such election.

The city clerk shall prepare the required ballots, on which he shall reduce the subject matter of this act to the following question: "Shall the Act to Amend the Charter of the City of Calais to Provide for the Acquisition of a Water System by the City of Calais, passed by the 101st Legislature, be accepted?" The voters shall indicate by a cross or check mark placed against the words "Yes" or "No" their opinion of the same.

This act shall take effect for all purposes hereof immediately upon its acceptance by a majority of the legal voters voting at such election; but only if the total number of votes cast for and against the acceptance of this act at said election equals or exceeds 20% of the total votes for all candidates for Governor cast in said city at the next previous gubernatorial election.

The result of such election shall be declared by the municipal officers of the City of Calais and due certificate thereof shall be filed by the city clerk with the Secretary of State.

Effective September 21, 1963

Chapter 103

AN ACT Relating to Extension of Water Service in Town of Scarborough.

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

Extension of water service in Town of Scarborough. When at least 4/5 of the owners of property abutting on an accepted public way in the Town of Scar-

borough, not presently served with water service by the Portland Water District, petition the selectmen of the Town of Scarborough to include an appropriate article in the warrant for a town meeting, the selectmen are hereby authorized to insert in said warrant an article in substantially the following form: "To see if the town will vote to instruct the selectmen to enter into a contract with the Portland Water District to install a water main in _____,

(Public Way)

at _____, extending along said _____
(Starting point) (Public Way)

for a distance of _____ and ending at _____ and to install
(feet) (Certain point)

along said main _____ hydrants on said way, and to vote to raise
(If any)

and appropriate the sum of \$ _____ to pay the annual charge therefor."

If the tax income to the town from real estate on said way capable of being directly served by said water main is less than 4 times the annual charge of the Portland Water District to the town for said main, the assessors shall determine the benefit derived from said main and extension thereof to each lot or parcel of real estate on said way and make an assessment therefor based on said charge to the town for the preceding year.

The legislative body of the town shall establish a formula with respect to each such petition to define the benefit and to determine that portion of the aforesaid benefit that shall be assessed annually to the owners of the real estate, but in no event shall such assessments exceed 70% of the annual cost to the town for each main or extension thereof; said formula may provide the terms and conditions for the termination of the benefit assessment. Every such assessment until paid shall be a lien on the real estate assessed.

Unless otherwise provided by the legislative body of the town as aforesaid, the benefit assessments shall terminate when it is determined by the assessors that tax income to the town from real estate in any way herein affected is equal to 4 times the annual charge of the Portland Water District to the town for service to the real estate on such way.

The municipal officers shall file with the tax collector each year the location of each such main and extension thereof, a statement of its cost to the town for the preceding year, the amount of the benefit assessment made on each lot or parcel of real estate, and identity of the owner responsible for its payment; within 20 days of said filing the tax collector shall give written notice of the assessment to said owner.

Each water main and extension thereof so authorized by the town shall be considered separately, and not in combination, to determine water main expense in relation to tax income, except for purpose of terminating the benefit assessment as aforesaid.

The intention of this act is to provide a supplemental and not an exclusive method for the financing of water main extensions in the town.