

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-FOURTH LEGISLATURE

SECOND REGULAR SESSION
January 6, 2010 to April 12, 2010

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
JULY 12, 2010

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TITLE 3, SECTION 163-A, SUBSECTION 4.

Augusta, Maine
2010

CHAPTER 37
H.P. 1250 - L.D. 1756

**An Act To Amend the Charter
of the Gardiner Water District**

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

Sec. 1. P&SL 1903, c. 82, §16 is enacted to read:

Sec. 16. Purchase water. Notwithstanding the Maine Revised Statutes, Title 22, chapter 601, subchapter 5, the Gardiner Water District is authorized to purchase nonfluoridated water from the Hallowell Water District. The Gardiner Water District shall provide all of its customers that may be affected by the change from fluoridated to nonfluoridated water with written notice of the change. The Gardiner Water District shall also inform the customers that may be affected by the change that if a customer wishes to continue to receive the benefits of fluoride, the customer should contact the customer's dentist or health care provider.

See title page for effective date.

CHAPTER 38
S.P. 690 - L.D. 1783

**An Act To Amend the Charter
of the Kennebec Water District**

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

Sec. 1. P&SL 1899, c. 200, §1, as repealed and replaced by P&SL 1965, c. 54, is amended to read:

Sec. 1. Incorporation. The territory and people within the City of Waterville, and the ~~Towns~~ Town of Winslow and the ~~Town of~~ Fairfield, shall constitute a body politic and corporate under the name of the Kennebec Water District for the purpose of supplying the inhabitants of ~~said the~~ district and of the ~~Towns~~ Town of Benton and the ~~Town of~~ Vassalboro and all ~~said the~~ municipalities with ~~pure~~ potable water for domestic and all other lawful purposes. ~~The records of the Kennebec Water District are public and meetings of the trustees shall be open.~~ The district is subject to the freedom of access laws under the Maine Revised Statutes, Title 1, chapter 13, subchapter 1.

Sec. 2. P&SL 1899, c. 200, §2 is amended to read:

Sec. 2. Take water. ~~Said~~ The district is hereby authorized for the purposes ~~aforsaid~~, of this Act to take and hold sufficient water of any source located

within the territory of the district and of the Kennebec River, the Messalonskee ~~stream~~ Stream or its tributary lakes; or the Sebasticook ~~river~~ River or its tributary lakes, including China Lake, and may take and hold by purchase or otherwise; any land or real estate necessary for erecting dams, power; or reservoirs or ~~for~~ preserving purity of the water and ~~water shed~~ watershed, and for laying and maintaining aqueducts for conducting, discharging, distributing and disposing of water.

The district is authorized and empowered to exercise the right of eminent domain and to acquire and hold either by purchase or exercise of its right of eminent domain any land, real estate, easements or interests in any land, real estate or easements or water rights or interest in water rights for all the purposes of the district's incorporation.

When the district takes land or easements on land for its use, the district may mark the lines and boundaries of the land or easements by suitable monuments.

Proceedings for condemnation by the district must be commenced by filing in the office of the county commissioners of the county where the property is situated a certificate of taking accompanied by plans and descriptions of the property together with the names of the party or parties who are owners of record of the property and then proceedings must be held for the appraisal of damages as in the case of laying out highways by the county commissioners.

Any appeal of the district's determination of damages must be filed with the county commissioners within 30 days of notice of the district's written decision provided by personal service in hand by an officer duly qualified to serve civil process in this State or by certified mail return receipt requested.

Sec. 3. P&SL 1899, c. 200, §5, as repealed and replaced by P&SL 1995, c. 40, §1 and affected by §4, is amended to read:

Sec. 5. Trustees; how elected. All of the affairs of the district are managed by a board of trustees composed of 10 members, 4 of whom are elected by a plurality of voters of the City of Waterville, 2 of whom are elected by a plurality of voters of the Town of Winslow, 2 of whom are elected by a plurality of voters of the Town of Fairfield, one of whom is elected by a plurality of voters of the Town of Benton and one of whom is elected by a plurality of voters of the Town of Vassalboro. Trustees must be residents of the towns in which they are elected. Nominations and elections must be conducted in accordance with the Maine Revised Statutes, Title 35-A, chapter ~~63~~ 64, except as specifically provided in subsection 3 of this section.

1. Organization; conduct of business. As soon as convenient after the election of trustees, the trustees shall hold a meeting ~~in the city rooms in the City of Waterville~~ at a location within Waterville, Winslow,