

# MAINE STATE LEGISLATURE

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## ONE - HUNDRETH LEGISLATURE

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**Legislative Document**

**No. 1572**

H. P. 1139

House of Representatives, April 27, 1961

Referred to Committee on Public Utilities. Sent up for concurrence and ordered printed.

HARVEY R. PEASE, Clerk

Presented by Mr. Swett of Howland.

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### STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SIXTY-ONE

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**AN ACT Increasing the Authorized Indebtedness of the Lincoln Water District and Clarifying its Power to Borrow.**

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**Emergency preamble.** Whereas, an adequate water system is essential to the health and well-being of the residents of the Lincoln Water District; and

Whereas, the capacity of the existing water supply has been reached and the existing water system is inadequate to serve all such residents; and

Whereas, in order to remedy these conditions it is necessary to construct as soon as possible a new gravel-packed well and extensions of the district water system; and

Whereas, it is impossible for said district to construct such well and extensions within the limitation of indebtedness set forth in the charter of the district (chapter 116 of the private and special laws of 1949) and the meaning of the existing borrowing provisions is not clear; and

Whereas, acts and resolves do not become effective until 90 days after the Legislature adjourns unless passed as emergency measures; and

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

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

**P. & S. L., 1949, c. 116, § 13, amended.** Section 13 of chapter 116 of the private and special laws of 1949 is amended to read as follows:

**'Sec. 13. Authorized to negotiate temporary loans; and to issue notes and bonds; declared a quasi-municipal corporation; notes and bonds legal investment for savings banks.** For accomplishing the purposes of this act, said district, through its trustees, without the necessity of a vote of the inhabitants of said district, is authorized to borrow money temporarily from time to time, ~~not exceeding \$375,000~~ and to issue therefor the interest-bearing negotiable notes of the district, maturing **not later than one year from their dates serially or otherwise**, and to make subsequent renewals of the same in whole or in part ~~and for said purposes and for the purpose of refunding any notes, bonds or other lawful indebtedness to establish a fund therefor.~~ **For the purpose of refunding the indebtedness so created and for the purpose of obtaining or providing money to pay or to meet any necessary expenses and liabilities under the provisions of this act, including expenses in the creation of this district, in securing sources of supply, taking water and land, paying damages, laying pipes, constructing, maintaining and operating a water plant and sewage disposal system and making extensions, additions and improvements to the same, the said district, through its trustees, without the necessity of a vote of the inhabitants of said district, may from time to time issue bonds or notes of the district to an amount necessary in the judgment of the trustees therefor, maturing at one time or in uniform or varying installments, and with or without call provisions and to an amount necessary in the judgment of the trustees therefor, provided, that such bonds or notes issued by the district at any one time outstanding shall not exceed \$600,000 in aggregate principal amount.** Said notes and bonds shall be legal obligations of said district, which is hereby declared to be a quasi-municipal corporation within the meaning of ~~sections 132 and 133 of chapter 49~~ of the Revised Statutes of ~~1944~~ 1954, chapter 90-A, section 23, as enacted by section 1 of chapter 405 of the public laws of 1957. The said notes and bonds shall be legal investments for savings banks.'

**Referendum; effective date; certificate to Secretary of State.** In view of the emergency cited in the preamble, this act shall take effect when approved but only for the purpose of permitting its submission to the legal voters of the Town of Lincoln at an annual or special town meeting to be called and held for the purpose by the municipal officers of said town at the regular voting places, the date of holding said meeting to be determined by said municipal officers. Such special meeting shall be called, advertised and conducted according to the law relating to municipal elections; provided, that the board of registration in said town shall not be required to prepare for posting nor the town 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 meeting, the first 2 days to be devoted to 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. The town clerk shall prepare the required ballots, on which he shall reduce the subject matter of this act to the following question: "Shall the Act Increasing the Authorized Indebtedness of the Lincoln Water District and Clarifying its Power to Borrow, be accepted?" The voters shall indicate by a cross or check mark placed against the words "Yes" or "No" their opinion of the same. The result shall be declared by the municipal officers and due certificate thereof filed by the town clerk with the Secretary of State.

This act shall take effect for all the purposes hereof immediately upon its acceptance by a majority of the legal voters voting at said meeting; provided, that the total number of votes cast for and against the acceptance of this act at said meeting equaled or exceeded 10% of the total vote for all candidates for Governor cast in said town at the next previous gubernatorial election, but nothing in this act should be construed to prevent resubmitting this act for acceptance at any annual or special town meeting held within 2 years from the effective date hereof as provided in this act, notwithstanding an earlier vote against such acceptance.