

MAINE STATE LEGISLATURE

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(EMERGENCY)

NEW DRAFT OF: H. P. 525; L. D. 696

ONE HUNDRED AND FOURTH LEGISLATURE

Legislative Document

No. 1383

H. P. 1091

House of Representatives, March 26, 1969

Reported by Mr. Williams from Committee on Public Utilities. Printed Under Joint Rules No. 18.

BERTHA W. JOHNSON, Clerk

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-NINE

AN ACT Repealing the Porter's Landing Water District.

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the present water system of the Porter's Landing Water District is inadequate and in need of immediate improvement and repair to protect the quality of water and the health and well-being of the inhabitants of that portion of the Town of Freeport served by the district; and

Whereas, such portion of the Town of Freeport is totally without a public water supply for fire protection purposes; 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:

Sec. 1. Authorization to sell assets. Porter's Landing Water District, as created by chapter 104 of the private and special laws of 1951, is authorized and empowered to sell and convey by deed, bill of sale and other necessary documents, its land, buildings, equipment, water lines, water system and all other assets upon such terms and conditions as the board of trustees of the district determine to be fit and proper to Freeport Water Company or to such other company, individual, district or entity as the trustees shall select.

Sec. 2. Organization of Porter's Landing Water District repealed. Chap-

ter 104 of the private and special laws of 1951 incorporating the Porter's Landing Water District is repealed and said district is dissolved upon the completion of a sale and conveyance of the assets of the district as authorized in section 1 and settlement in full of all indebtedness of the district. The trustees of the district shall file a due certificate thereof with the Secretary of State. Provided, however, that the existence, powers, duties and liabilities of the district shall survive for the purpose of prosecuting and defending all pending actions to which the district is, or may be, a party and all needful process growing out of the same, including provisions for the payment of any judgment which may be rendered against the district.

Sec. 3. Local referendum; effective date. 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 district. This Act shall take effect for all the purposes thereof immediately upon its acceptance by a majority vote of the legal voters of Porter's Landing Water District, at a meeting of said district, called as provided by the law creating said district, within the said district. Said meeting shall be called and held in the same manner as provided in section 7 of the Act creating said district. Said meeting shall be called and held within 60 days of the approval date of this Act. At said meeting the vote shall be by ballot bearing the question "Shall the Porter's Landing Water District be Dissolved?" The voters shall indicate, by a cross (X) placed against the words "Yes" or "No", their opinion of the same. The result shall be declared by the trustees of the district and due certificate thereof filed with the Secretary of State by the trustees of said district.