

MAINE STATE LEGISLATURE

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(EMERGENCY)

ONE HUNDRED AND SIXTH LEGISLATURE

Legislative Document

No. 554

S. P. 210

In Senate, February 1, 1973

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

HARRY N. STARBRANCH, Secretary

Presented by Senator Fortier of Oxford.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-THREE

AN ACT to Amend the Charter of the Andover 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 Andover Water District has acquired the property and franchises of the Andover Water Company, and in connection therewith has borrowed money temporarily; and

Whereas, it is necessary to immediately arrange for permanent financing of the indebtedness of said district; and

Whereas, certain changes in the charter must be made before approval of the bonds to be issued by said district will be granted; 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. P. & S. L., 1971, c. 76, § 1, repealed and replaced. Section 1 of chapter 76 of the private and special laws of 1971 is repealed and the following enacted in place thereof:

Sec. 1. Territorial limits; corporate name; purposes. Subject to section 17 hereof, the inhabitants and territory of that part of the Town of Andover,

in the County of Oxford, as is hereafter described: Beginning at the confluence of Stony Brook with the west branch of the Ellis River; thence down said Ellis River to the property bound of Warren Percival and Andover Woods Products, Inc. on the northerly side of said west branch of the Ellis River; thence northerly by line of land of said Percival and Andover Wood Products, Inc. to the southerly sideline of the highway leading to District No. 4, so called, in said Andover; thence crossing said highway to the northerly limits of the same; thence easterly by the northerly sideline of the said highway a distance of 631 feet to a stake and stones; thence northerly by the line of land of the said Percival and Andover Wood Products, Inc. to the northeasterly corner of Lot No. 17, Range C; thence by a prolongation easterly of the head line of said Lot No. 17, Range C to a point on the westerly bank of Sawyer Brook; thence down Sawyer Brook to its confluence with the west branch of the Ellis River; thence down said Ellis River to a point that intersects the prolongation of a line easterly which forms the southerly bound of land of Raymond Akers, formerly the Fair Grounds, so called; thence westerly along said line of land of Raymond Akers and line of land now or formerly of Grafton Lumber Company to the head line of Range 1 west of the Ellis River; thence northerly by said Range line to a point 40 rods distant southerly from the northwesterly corner of Lot No. 16 in said Range 1; thence by a 90 degree angle left, and by the southerly line of said Range No. 1 to Stony Brook; thence down said Stony Brook to the point of beginning; shall constitute a body politic and corporate under the name of Andover Water District for the purpose of supplying the said district and the inhabitants of said district, with pure water for domestic, sanitary, commercial, industrial, agricultural and municipal purposes.

Sec. 2. P. & S. L., 1971, c. 76, § 9, amended. The first 3 paragraphs of section 9 of chapter 76 of the private and special laws of 1971 are amended to read as follows:

All the affairs of said district shall be managed by a board of trustees composed of 3 members — ~~residents~~ **inhabitants** of the district — who shall be chosen as hereinafter provided.

As soon as may be after the acceptance of this Act as hereinafter provided, the selectmen of the Town of Andover shall appoint 3 trustees of said district to hold office as follows: one to serve until the first annual meeting of ~~subscribers~~ **inhabitants** of said district to be held on the first Saturday in May, 1972; one to serve until the 2nd annual meeting of ~~subscribers~~ **inhabitants** of said district to be held on the first Saturday in May, 1973 and one to serve until the 3rd annual meeting of ~~subscribers~~ **inhabitants** of said district to be held on the first Saturday in May, 1974. At each annual meeting of ~~subscribers~~ **inhabitants** of said district, beginning with the first annual meeting of ~~subscribers~~ **inhabitants** of said district following the acceptance of this Act, one trustee shall be elected by the ~~subscribers~~ **inhabitants**, to serve until the annual meeting of ~~subscribers~~ **inhabitants** of said district occurring 3 years thereafter and until his successor is elected and qualified.

Whenever any trustee ceases to be a ~~resident~~ **inhabitant** of said district, he vacates the office of trustees. All trustees, if ~~residents~~ **inhabitants** of said

district, shall be eligible for reelection. Vacancies in the office of trustee shall be filled by the selectmen appointing a successor to serve only until the next annual meeting of the district. At such annual meeting, the unexpired portion of said term, if any, shall be filled in the same manner as the trustees are elected.

Sec. 3. Local referendum and all subsequent acts of Andover Water District validated. The local referendum held on December 7, 1971, pursuant to section 17 of chapter 76 of the private and special laws of 1971 at which it was voted to accept the Act to Incorporate the Andover Water District, passed by the 105th Legislature, is hereby declared to have been a valid referendum, and the acceptance of said Act at said referendum is hereby validated, confirmed, ratified and made effective and all subsequent acts of said Andover Water District prior to the effective date of this amendment by its trustees, officers and agents are hereby validated, confirmed, ratified and made effective.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.

STATEMENT OF FACT

The purpose of this bill is reflected in the emergency preamble.