

MAINE STATE LEGISLATURE

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ONE HUNDRED AND SIXTH LEGISLATURE

Legislative Document

No. 1372

H. P. 1044

House of Representatives, March 6, 1973

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

E. LOUISE LINCOLN, Clerk

Presented by Mrs. Chonko of Topsham.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-THREE

AN ACT to Amend the Charter of the Bath Water District.

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

Sec. 1. P. & S. L., 1915, c. 197, § 1, amended. Section 1 of chapter 197 of the private and special laws of 1915 is amended to read as follows:

Sec. 1. Bath Water District incorporated. The following territory and the people within the same, all being included within the corporate limits of the ~~city~~ City of Bath, namely: ~~Wards one, two three, four, five, six, and so much of ward seven as lies southerly of Whiskag street and southerly of the road connecting with said street which extends westerly from Whiskag Stream to the Brunswick east line~~ the Town of Woolwich, the Town of West Bath, the Town of Phippsburg and the Town of Brunswick shall constitute a body politic and corporate under the name of the Bath Water District, for the purpose of supplying the inhabitants of said district and ~~municipality~~ municipalities and of the adjoining towns of West Bath, Phippsburg and Woolwich with pure water for domestic, sanitary, mechanical and municipal purposes.

Sec. 2. P. & S. L., 1915, c. 197, § 5, amended. Section 5 of chapter 197 of the private and special laws of 1915 is amended to read as follows:

Sec. 5. —may lay pipe lines, aqueducts, etc. Said district is hereby authorized to lay in and through the streets, roads, ways and roadway of the ~~city~~ City of Bath and the ~~towns~~ Towns of West Bath, Phippsburg, Brunswick and Woolwich, and across private lands therein, and to maintain, repair and replace all such pipes, aqueducts and fixtures as may be necessary and convenient for its corporate purposes, and whenever said district shall lay any

pipes or aqueducts in any street, road, way, ~~or~~ highway or private lands, it shall cause the same to be done with as little obstruction as practicable to the public travel, and shall, at its own expense, without unnecessary delay, cause the earth and pavement removed by it to be replaced in proper condition.

Sec. 3. P. & S. L., 1915, c. 197, § 7, repealed and replaced. Section 7 of chapter 197 of the private and special laws of 1915 is repealed and the following enacted in place thereof:

Sec. 7. Board of trustees shall manage said district. All the affairs of said water district shall be managed by a board of trustees composed of 7 members, of whom 3 members shall be residents of the City of Bath, one member shall be a resident of the Town of Woolwich, one member shall be a resident of the Town of West Bath, one member shall be a resident of the Town of Phippsburg, and one member shall be a resident of the Town of Brunswick. Said trustees shall be chosen by the municipal officers of the respective towns in which each of them resides, within 30 days after the effective date of this section. No member of the governing bodies of the municipalities of this district shall, during the term for which he is elected, be chosen one of said board of trustees. As soon as convenient after the members of said board have been chosen, said trustees shall hold a meeting in the city building, in Bath, and organize by the election of a president and clerk, adopt a corporate seal and when necessary may choose a treasurer and all other needful officers and agents for the proper conduct and management of the affairs of said district. At first said meeting they shall determine by lot the term of office of each trustee so that 2 shall serve for one year, 2 for 2 years and 3 for 3 years; and whenever the term of office of a trustee expires, the body which appointed said trustee shall appoint a successor to serve the full term of 3 years, and in case any other vacancy arises, it shall be filled in like manner for the unexpired term. They may also ordain and establish such bylaws as are necessary for their own convenience and the proper management of the affairs of the district. The term of office of the trustees shall begin on the 30th day after the effective date of this section, provided that the present duly appointed trustees of said district shall remain in office and carry on the business of said district until the beginning of the term of office of the new trustees, as set forth herein. Said trustees may procure an office and incur such expenses as may be necessary. Each member shall receive in full compensation for his services an allowance of 200 dollars per year.

Sec. 4. P. & S. L., 1915, c. 197, § 7-A, repealed. Section 7-A of chapter 197 of the private and special laws of 1915, as enacted by chapter 34 of the private and special laws of 1971, is repealed.

Sec. 5. P. & S. L., 1915, c. 197, § 13, repealed and replaced. Section 13 of chapter 197 of the private and special laws of 1915, as amended by chapter 203 of the private and special laws of 1955, is repealed and the following enacted in place thereof:

Sec. 13. —property exempt from taxation. The real property presently owned and hereafter acquired by said district shall be exempt from taxation, only as to pipes, fixtures, hydrants, conduits, gatehouses, pumping stations,

reservoirs and dams, as provided by the general taxation provisions of the Revised Statutes. All incidental powers, rights and privileges necessary to the accomplishment of the main object herein set forth are granted to the public municipal corporation hereby created.

STATEMENT OF FACT

The purpose of this legislation is to include the Towns of Woolwich, West Bath, Phippsburg and Brunswick, as well as the City of Bath, within the Bath Water District and to provide for membership on the district board of trustees for said towns.