

# MAINE STATE LEGISLATURE

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ONE HUNDRED AND EIGHTH LEGISLATURE

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Legislative Document

No. 669

H. P. 552

House of Representatives, March 1, 1977

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

EDWIN H. PERT, Clerk

Presented by Mr. Birt of East Millinocket.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-SEVEN

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**AN ACT to Repeal Incorporation of the Patten Water District.**

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

Whereas, the Patten Water District is experiencing financial difficulties and is unable to adequately maintain its water system to provide the inhabitants of the Town of Patten with a sufficient water supply; and

Whereas, it is imperative that action be taken at the earliest possible moment to relieve such conditions; and

Whereas, to remedy these conditions, immediate work to repair the entire water system is necessary; and

Whereas, the Patten Water District, because of its financial condition, is unable to provide the necessary repairs; and

Whereas, the future water supply for the inhabitants of the Town of Patten is in jeopardy; 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**Sec. 1.** P & SL 1945, c. 73 and P & SL 1957, c. 91, are repealed. Chapter 73 of the private and special laws of 1945 and chapter 91 of the private and special laws of 1957, creating and perpetuating the Patten Water District, and

all Acts additional thereto and amendatory thereof, are repealed; provided, however, that the corporate existence, powers, duties and liabilities of the corporation shall survive for the purpose of prosecuting and defending all pending suits and all needful process growing out of the same, including provisions for the payment of any debts of or judgments which may be rendered against the corporation or exist in favor of any creditor.

**Sec. 2. Property, assets, etc., to become property of town.** Immediately after this Act becomes fully effective, all the assets, property, real and personal, and records, as they existed prior to the fully effective date of this Act, shall become the property of, and title thereto shall be vested in, the Town of Patten, and the town shall automatically assume and carry on all of the functions of the Patten Water District and shall assume all of the liabilities and obligations outstanding against the corporation, and the town is authorized and empowered to raise funds by loan or taxation, or both, from time to time as found necessary to carry on the functions and defray the indebtedness thereof, if any, and all valid contracts, and any and all bond issues and indebtedness of the Patten Water District as may have existed prior to the fully effective date of this Act shall be assumed, executed and carried out according to the terms thereof by the Town of Patten.

**Sec. 3. Incidental powers.** All incidental powers, rights and privileges necessary to the accomplishment of the main object herein set forth are granted.

**Sec. 4. Emergency clause; referendum; effective date; certificate to Secretary of State.** In view of the emergency cited in the preamble, this Act shall take effect when approved, only for the purpose of permitting its submission to the legal voters of the Town of Patten and of the Patten Water District at any regular or special meetings thereof held within 3 months after the effective date of this Act, provided that the warrants calling such meetings contain appropriate articles for that purpose. Such meetings shall be called and conducted according to law governing municipal elections. The town clerk of the Town of Patten and the Clerk of the Patten Water District shall prepare proper ballots, upon which the subject matter of this Act shall be reduced to the following question:

“Shall ‘An Act to Repeal Incorporation of the Patten Water District,’ passed by the First Regular Session of the 108th Legislature, be accepted?”

The voters of the town and of the corporation shall indicate by a cross or check mark placed against the words “Yes” or “No” their opinion of the same. This Act shall become fully effective 30 days following the date that certificates of the result of each vote is filed with the Secretary of State to the effect that this Act is accepted by both the inhabitants of the Town of Patten and the Patten Water District.

The result of the vote shall be declared by the municipal officers of the town and by the trustees of the corporation and a certificate of the result of the vote shall be filed by the clerk of the town and by the clerk of Patten Water District with the Secretary of State.

STATEMENT OF FACT

The purpose of this Act is to enable the inhabitants of the Town of Patten to repeal the corporate structure of the Patten Water District and to assume all of the assets and liabilities of the Patten Water District.