

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)



122nd MAINE LEGISLATURE

SECOND REGULAR SESSION-2006

Legislative Document

No. 1744

S.P. 661

In Senate, December 30, 2005

An Act To Create the Washburn Water and Sewer District

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Received by the Secretary of the Senate on December 28, 2005. Referred to the Committee on Utilities and Energy pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator MARTIN of Aroostook.

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

2 **PART A**

3 **Sec. A-1. Territorial limits; corporate name.** Pursuant to the Maine Revised
4 Statutes, Title 35-A, chapter 64, the Town of Washburn and its inhabitants constitute a
5 standard district under the name Washburn Water and Sewer District, referred to in this
6 Act as "the district."

7 **Sec. A-2. Powers; authority; duties.** The district has all the powers and
8 authority and is subject to all the requirements and restrictions provided in the Maine
9 Revised Statutes, Title 35-A, chapter 64.

10 **Sec. A-3. Additional powers.** The district is authorized to provide water and
11 sewage treatment and collection systems for public purposes and for the health, comfort
12 and convenience of the residents of the Town of Washburn.

13 **Sec. A-4. Number of trustees.** The board of trustees of the district is composed
14 of 3 trustees. A trustee must be a resident of the district and reside in a household to
15 which the district's service is provided.

16 **Sec. A-5. Terms of trustees.** Trustees are elected to 3-year terms.

17 **Sec. A-6. Authorized to acquire property and franchise of Washburn**
18 **Water and Sewer Department.** The district, through its trustees, may acquire by
19 purchase the plants, properties, assets, franchises, rights and privileges owned by the
20 Washburn Water and Sewer Department, including all lands, waters, water rights,
21 reservoirs, pipes, machinery, fixtures, hydrants, tools and all apparatus and appliances
22 used or usable in supplying water in the area of the district.

23 The sale and transfer by the Washburn Water and Sewer Department to the district of
24 its plants, properties, assets, franchises, rights and privileges; the assumption by the
25 district of all of the outstanding debts, obligations and liabilities of the district pursuant to
26 this section; and the subsequent use of the plants, properties, assets, franchises, rights and
27 privileges by the district within the limits of the district are subject to the approval of the
28 Public Utilities Commission as may be required by the Maine Revised Statutes, Title 35-
29 A, Part 1.

30 **Sec. A-7. Referendum; effective date.** This Act takes effect when approved
31 only for the purpose of permitting its submission to the legal voters within the territory
32 described in section 1 of this Act at an election called for that purpose and held within 2
33 years of the effective date of this Act. The election must be called, advertised and
34 conducted according to the law relating to municipal elections, except that the registrar of
35 voters is not required to prepare or the clerk to post a new list of voters. For the purpose
36 of registration of voters, the registrar of voters must be in session the secular day
37 preceding the election. The subject matter of this Act is reduced to the following
38 question:

39 "Do you favor creating the Washburn Water and Sewer District and
40 permitting it to acquire assets of the Washburn Water and Sewer
41 Department?"

