

MAINE STATE LEGISLATURE

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124th MAINE LEGISLATURE

FIRST REGULAR SESSION-2009

Legislative Document

No. 1317

H.P. 920

House of Representatives, March 31, 2009

An Act To Amend the Charter of the Addison Point Water District

Reference to the Committee on Utilities and Energy suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative TILTON of Harrington.
Cosponsored by Senator RAYE of Washington and
Representatives: BURNS of Whiting, FOSSEL of Alna.

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

2 **Sec. 1. P&SL 1953, c. 73, §7** is repealed and the following enacted in its place:

3 **Sec. 7. Board of trustees.** All the affairs of the district are managed by a board of
4 5 trustees. Trustees are elected one for 3 years, 2 for 2 years and 2 for one year at the
5 annual meeting of the district. Notwithstanding the Maine Revised Statutes, Title 35-A,
6 section 6410, subsection 1, when the term of office of a trustee expires, the trustee's
7 successor is elected at large by a plurality vote of the voters of the district at the annual
8 meeting. A vacancy is filled in the same manner for the unexpired term by a special
9 election called by the trustees. Notice of annual meetings and special elections to elect
10 trustees must be published not less than 2 weeks before the meeting or election.

11 The trustees of the district shall elect a chair from among the trustees and elect a
12 treasurer who may or may not be a trustee and fix the treasurer's salary.

13 **Sec. 2. P&SL 1953, c. 73, §8** is repealed and the following enacted in its place:

14 **Sec. 8. Annual meeting.** The board of trustees may hold an annual meeting upon
15 14 days' public notice to elect trustees and transact any other business as may properly
16 come before the board. Ten percent of the voters qualified to vote at such meetings
17 constitutes a quorum.

18 **Sec. 3. P&SL 1953, c. 73, §12** is repealed and the following enacted in its place:

19 **Sec. 12. Authorized to receive government aid, borrow money and issue**
20 **bonds and notes.** The district, through its trustees, in order to pay necessary expenses
21 and liabilities incurred in accordance with the purposes of its incorporation, may receive
22 state and federal aid or grants and may borrow money temporarily and issue for the
23 money its negotiable notes in order to renew and refund the debt created.

24 The district, through its trustees, may also issue, in accordance with the Maine
25 Revised Statutes, Title 35-A, chapter 9 and section 6413, bonds, notes or other evidences
26 of indebtedness of the district. The trustees shall determine the amount or amounts of the
27 indebtedness, the rate or rates of interest, whether the instrument will be sold at par or at a
28 discount or a premium, the manner of the sale, including whether the sale will be public
29 or private and any other terms and provisions of the offering. The trustees shall determine
30 whether the debt will be issued to mature serially or made to run for a term of years. The
31 district's debt instruments may be issued with or without provisions for calling the debt
32 prior to maturity. If the debt is callable, the trustees shall determine whether it will be
33 callable at par or at a premium.

34 All bonds, notes or other evidences of indebtedness must have inscribed upon their
35 face the corporate name of the district, as specified in the charter creating the district, and
36 be signed by the treasurer and countersigned by the chair of the board of trustees of the
37 district. If coupon bonds are issued, the interest coupon attached to the coupon bonds
38 must bear the facsimile signature of the treasurer.

1 All bonds, notes and other evidences of indebtedness issued by the district in
2 accordance with this section are legal obligations of the district within the meaning of
3 Title 30-A, section 5701. All bonds, notes and other evidences of indebtedness issued by
4 the district are legal investments for savings banks in this State and are exempt from state
5 income tax.

6 The district, through its trustees, may refund and reissue, from time to time, in one or
7 in separate series, its bonds, notes and other evidences of indebtedness, and each
8 authorized issue constitutes a separate loan.

9 **Sec. 4. P&SL 1953, c. 73, §14** is repealed and the following enacted in its place:

10 **Sec. 14. Rates.** The rates of the district must be established in accordance with the
11 Maine Revised Statutes, Title 35-A, chapter 61. The rates must be sufficient to provide
12 revenue to the district to carry out the purposes of its incorporation, without the need for
13 any financial assistance from any municipality, other than the normal payment of water
14 charges for services rendered and any loan or loans provided to the district for initial
15 funds as set forth in section 6412. All customers of the district shall pay to the treasurer or
16 other designated officer of the district the rates established by the district.

17 **Sec. 5. Transition; trustees in office.** Trustees of the Addison Point Water
18 District in office on the effective date of this Act may continue in office for the remainder
19 of their terms. When the term of office of a trustee expires, that trustee's successor is
20 elected in accordance with this Act.

21 **SUMMARY**

22 This bill amends the charter of the Addison Point Water District. It allows the district
23 to have an annual meeting at the discretion of the trustees and requires that the trustees
24 are elected at the annual meeting or a special meeting if a vacancy occurs before the term
25 of a trustee expires. It gives the trustees the authority to elect a treasurer and set the
26 compensation for the treasurer. It requires the district to set rates in accordance with the
27 Maine Revised Statutes, Title 35-A, chapter 61. It authorizes the district to issue bonds
28 and other indebtedness in accordance with Title 35-A, chapter 9 and section 6413.