

# MAINE STATE LEGISLATURE

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# 125th MAINE LEGISLATURE

## SECOND REGULAR SESSION-2012

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Legislative Document

No. 1842

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H.P. 1363

House of Representatives, March 6, 2012

### An Act To Amend the Charter of the Bingham Water District

(AFTER DEADLINE)

(EMERGENCY)

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Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

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

A handwritten signature in cursive script, reading 'Heather J.R. Priest'.

HEATHER J.R. PRIEST  
Clerk

Presented by Representative DUNPHY of Embden.

Cosponsored by Representatives: ESPLING of New Gloucester, McCLELLAN of Raymond.

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

3           **Whereas,** the Bingham Water District has lost a significant portion of its customer  
4 base in the last few years; and

5           **Whereas,** the Bingham Water District has invested in infrastructure improvements  
6 for its customers; and

7           **Whereas,** the debt obligations of the Bingham Water District are increasingly  
8 difficult to meet with fewer customers; and

9           **Whereas,** in the judgment of the Legislature, these facts create an emergency within  
10 the meaning of the Constitution of Maine and require the following legislation as  
11 immediately necessary for the preservation of the public peace, health and safety; now,  
12 therefore,

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

14           **Sec. 1. P&SL 1911, c. 13, §6, 2nd ¶** is repealed and the following enacted in its  
15 place:

16           Each member is entitled to compensation as recommended by the trustees and  
17 approved by a majority vote of the municipal officers of the Town of Bingham and  
18 Concord Township. Certification of the vote must be recorded with the Secretary of State  
19 and recorded in the bylaws.

20           **Sec. 2. P&SL 1911, c. 13, §6, last ¶** is amended to read:

21           The ~~said~~ water district, at any legal meeting ~~thereof~~ called for the purpose, may adopt  
22 such ~~by-laws~~ bylaws and provisions, not inconsistent with the constitution and laws of  
23 this ~~state~~ State and of the United States, as they ~~may deem~~ determine expedient and  
24 necessary for the good government and regulation of the municipal affairs of ~~said the~~  
25 water district, ~~in which case, such by-laws.~~ The bylaws and provisions ~~so~~ adopted ~~shall~~  
26 apply to ~~said the~~ water district as fully, ~~to~~ for all intents and purposes, as the other  
27 provisions of this act, subject to alterations and additions only by a ~~two-thirds~~ simple  
28 majority vote of the legal voters of ~~said the~~ water district present and voting at a legal  
29 meeting ~~thereof~~ called for the purpose.

30           **Sec. 3. P&SL 1911, c. 13, §8, sub-§6** is enacted to read:

31           6. Notwithstanding any other provision of law to the contrary, the board of trustees  
32 may adopt and implement a resolution that provides that, if a customer voluntarily  
33 disconnects the customer's property from the water system, the customer and any  
34 successor or assign of the customer continues to be obligated to pay any minimum charge  
35 in the water district's schedule of rates that was applicable to the property at the time of  
36 the disconnection.

