

MAINE STATE LEGISLATURE

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130th MAINE LEGISLATURE

FIRST SPECIAL SESSION-2021

Legislative Document

No. 1731

H.P. 1281

House of Representatives, June 1, 2021

An Act To Create the Belgrade Water District

(EMERGENCY)

Received by the Clerk of the House on May 27, 2021. Referred to the Committee on Energy, Utilities and Technology pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

A handwritten signature in cursive script that reads "R. B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative NEWMAN of Belgrade. (GOVERNOR'S BILL)
Cosponsored by Senator BLACK of Franklin.

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,** a number of private wells in the Town of Belgrade have evidenced chloride
4 contamination stemming from nearby sand and salt storage facilities, and this poses a
5 serious threat to the health and well-being of the inhabitants of the area; and

6 **Whereas,** an adequate supply of pure water is essential to the health and well-being
7 of the inhabitants of the Town of Belgrade; and

8 **Whereas,** the formation of a water district in the Town of Belgrade will ensure the
9 supply of pure water for the town's inhabitants; and

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

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

15 **Sec. 1. Territorial limits; corporate name.** Pursuant to the Maine Revised
16 Statutes, Title 35-A, chapter 64, that part of the Town of Belgrade described as tax map 7,
17 lots 34, 35, 42, 43, 44, 45, 47-1, 47-14, 53, 55, 55-A, 55-B, 55-C, 55-D, 55-E, 55-F, 55-G,
18 56-1, 56-2, 56-3, 56-4, 58, 59, 59-A, 59-B, 60, 61, 61-A, 62, 62-B and 63 and its inhabitants
19 constitute a standard water district under the name "Belgrade Water District," referred to
20 in this Act as "the district."

21 **Sec. 2. Powers; authority; duties.** The district has all the powers and authority
22 and is subject to all the requirements and restrictions provided in the Maine Revised
23 Statutes, Title 35-A, chapter 64, except as otherwise provided by this Act.

24 **Sec. 3. Power to take water.** The district is authorized to take, to hold and to
25 convey within the Town of Belgrade and from any part of the town water from any surface
26 or groundwater source within the town.

27 **Sec. 4. Number of trustees.** The board of trustees of the district is composed of 3
28 trustees. A trustee must be a resident of the Town of Belgrade but notwithstanding the
29 Maine Revised Statutes, Title 35-A, section 6410 need not reside in a household to which
30 the district's service is provided. Notwithstanding Title 35-A, section 6410, subsection 3,
31 any municipal officer, as defined in Title 30-A, section 2001, subsection 10, or other elected
32 official is eligible for appointment as a trustee of the district. At no time may more than 2
33 municipal officers or elected officials serve as trustees of the district.

34 **Sec. 5. First board.** The first board of trustees of the district is appointed by the
35 municipal officers of the Town of Belgrade in accordance with this Act. The terms of the
36 first board are governed by the Maine Revised Statutes, Title 35-A, section 6410,
37 subsection 4.

38 **Sec. 6. Terms of trustees.** After the appointment of the first board of trustees of
39 the district, trustees are appointed to 3-year terms by the municipal officers of the Town of
40 Belgrade pursuant to the Maine Revised Statutes, Title 35-A, section 6410, subsection 2.

1 **Sec. 7. Referendum; effective date.** This Act takes effect when approved only for
2 the purpose of permitting its submission to the legal voters within the Town of Belgrade at
3 an election called for that purpose and held within 3 years of the effective date of this Act.
4 The election must be called, advertised and conducted according to the law relating to
5 municipal elections, except that the registrar of voters is not required to prepare or the clerk
6 to post a new list of voters. For the purpose of registration of voters, the registrar of voters
7 must be in session the secular day preceding the election. The subject matter of this Act is
8 reduced to the following question:

9 "Do you favor creating the Belgrade Water District?"

10 The voters shall indicate by a cross or check mark placed against the word "Yes" or
11 "No" their opinion of the same.

12 The results must be declared by the municipal officers of the Town of Belgrade and
13 due certificate of the results filed by the clerk with the Secretary of State.

14 This Act takes effect for all other purposes immediately upon its approval by a majority
15 of the legal voters voting at the election. Failure to achieve the necessary approval in any
16 referendum does not prohibit subsequent referenda consistent with this section, as long as
17 the referenda are held within 3 years of the effective date of this Act.

18 **Emergency clause.** In view of the emergency cited in the preamble, this legislation
19 takes effect when approved.

20 **SUMMARY**

21 This bill establishes the Belgrade Water District, a standard water district pursuant to
22 the Maine Revised Statutes, Title 35-A, chapter 64.