

MAINE STATE LEGISLATURE

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131st MAINE LEGISLATURE

SECOND REGULAR SESSION-2024

Legislative Document

No. 2104

S.P. 897

In Senate, January 3, 2024

An Act to Amend the Charter of the Wiscasset Water District

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

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

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator RENY of Lincoln.
Cosponsored by Representative POLEWARCZYK of Wiscasset and
Senator: VITELLI of Sagadahoc, Representatives: CRAFTS of Newcastle, HEPLER of
Woolwich, STOVER of Boothbay.

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

2 **Sec. 1. P&SL 1983, c. 82, §1** is amended to read:

3 **Sec. 1. Territorial limits; name; purposes.** Subject to section 16, the inhabitants
4 and territory within the Town of Wiscasset and existing customers in the Town of
5 Woolwich as allowed by the final order in Public Utilities Commission Docket No. 85-8,
6 dated January 17, 1985, shall constitute a quasi-municipal corporation under the name of
7 "Wiscasset Water District" for the purpose of supplying the inhabitants of the district with
8 pure water for domestic, sanitary, manufacturing and municipal purposes. All incidental
9 rights, powers and privileges necessary to the accomplishment of the main objectives set
10 forth in this Act are granted to the Wiscasset Water District.

11 **Sec. 2. P&SL 1983, c. 82, §1, sub-§1** is enacted to read:

12 **1. Town of Edgecomb.** Pursuant to this section, the inhabitants and territory of the
13 Town of Edgecomb are members and part of the Wiscasset Water District.

14 **Sec. 3. P&SL 1983, c. 82, §1, sub-§2** is enacted to read:

15 **2. Wastewater services; Edgecomb.** Pursuant to this section, the Wiscasset Water
16 District may provide or contract to provide wastewater services to the Town of Edgecomb.

17 **Sec. 4. P&SL 1983, c. 82, §1, sub-§3** is enacted to read:

18 **3. Wastewater services; Wiscasset.** Pursuant to this section, the Wiscasset Water
19 District may provide or contract to provide wastewater services to the Town of Wiscasset.

20 **Sec. 5. P&SL 1983, c. 82, §1, sub-§4** is enacted to read:

21 **4. Wastewater services; customers in Woolwich.** Pursuant to this section, the
22 Wiscasset Water District may provide or contract to provide wastewater services to the
23 district's existing customers in the Town of Woolwich.

24 **Sec. 6. P&SL 1983, c. 82, §8, first ¶** is amended to read:

25 **Sec. 8. Board of trustees.** All of the affairs of the district ~~shall be~~ are managed by a
26 board of trustees composed of 5 members who are legal voters of the Town of Wiscasset,
27 except that one member must be a legal voter of the Town of Edgecomb once the district
28 expands service to include 1/3 of the legal residents of Edgecomb. Initially the trustees
29 shall be chosen by the municipal officers of Wiscasset. Each trustee shall serve for
30 a term of 3 years, except that the initial trustees shall serve the following terms: One trustee
31 shall serve until the next March town meeting; 2 trustees shall serve until the 2nd March
32 town meeting; and 2 trustees shall serve until the 3rd March town meeting after the initial
33 trustees are appointed. At the first meeting, the initial trustees may determine by agreement,
34 or failing to agree, they shall determine by lot the term of office of each trustee. The term
35 of office of the trustees shall end ends at the annual town meeting held in March. Whenever
36 the term of office of a trustee ~~will expire~~ expires at the next town meeting, a successor ~~shall~~
37 must be elected by secret ballot at the regular yearly municipal election to serve the full
38 term of 3 years. In case any other vacancy arises, it ~~shall~~ must be temporarily filled by
39 appointment by the ~~selectmen~~ members of the select board of the Town of Wiscasset, and
40 ~~shall~~ must be permanently filled for the unexpired term at the next regular yearly town
41 election. When any trustee ceases to be a resident of the Town of Wiscasset or of the Town

1 of Edgecomb, with regard to the trustee who is a legal voter of the Town of Edgecomb, he
2 that person vacates the office of trustee.

3 **Sec. 7. Referendum; effective dates.** This Act takes effect when approved only
4 for the purpose of permitting its submission to the legal voters within the Town of
5 Wiscasset, the Town of Edgecomb and the Town of Woolwich at elections called for that
6 purpose and held within 3 years of the effective date of this Act. The elections must be
7 called, advertised and conducted according to the law relating to municipal elections. The
8 registrars of the Town of Wiscasset, the Town of Edgecomb and the Town of Woolwich
9 shall make a complete list of all eligible voters of the proposed district as described in
10 sections 1 to 5. The list prepared by the registrars governs the eligibility of a voter to vote
11 in an election pursuant to this Act. For the purpose of registration of voters, the registrars
12 of voters must be in session the secular day preceding the election. An election must be
13 called by the municipal officers of each of the 3 towns named in this section and must be
14 held at the regular voting places. The residents of the Town of Wiscasset must be asked
15 all 4 questions. The residents of the Town of Edgecomb must be asked only the first 2
16 questions. The residents of the Town of Woolwich must be asked only the 4th question.
17 The subject matter of this Act is reduced to the following questions:

- 18 1. "Do you favor expanding the Wiscasset Water District's service
19 territory to include the entire Town of Edgecomb?"
- 20 2. "Do you favor expanding the authority of the Wiscasset Water District
21 to allow the district to provide sewer service to the Town of Edgecomb?"
- 22 3. "Do you favor expanding the authority of the Wiscasset Water District
23 to allow the district to provide sewer service to the Town of Wiscasset?"
- 24 4. "Do you favor expanding the authority of the Wiscasset Water District
25 to allow the district to provide sewer service to the district's existing
26 customers in the Town of Woolwich?"

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

29 The results must be declared by the municipal officers of the Town of Wiscasset, the
30 Town of Edgecomb and the Town of Woolwich and due certificate of the results filed by
31 the towns' clerks with the Secretary of State.

32 If the first question fails, section 2 does not take effect. If the 2nd question fails, section
33 3 does not take effect. If the 3rd question fails, section 4 does not take effect. If the 4th
34 question fails, section 5 does not take effect. If both the first and 2nd questions fail, section
35 6 does not take effect.

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

40 SUMMARY

41 This bill amends the charter of the Wiscasset Water District to expand the district's
42 service territory to include the Town of Edgecomb and to allow the district to provide sewer

1 service to the Town of Edgecomb and the Town of Wiscasset and to existing customers in
2 the Town of Woolwich. It also provides for representation of Edgecomb on the district's
3 board of trustees once service is expanded to include 1/3 of the legal residents of
4 Edgecomb.