

MAINE STATE LEGISLATURE

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N I N E T Y - F O U R T H L E G I S L A T U R E

Legislative Document

No. 474

H. P. 1068

House of Representatives, February 9, 1949

Referred to the Committee on Public Utilities, sent up for concurrence and ordered printed.

HARVEY R. PEASE, Clerk

Presented by Mr. Knapp of Yarmouth.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-NINE

AN ACT to Amend the Charter of the Yarmouth Water District.

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

Sec. 1. P. & S. L., 1923, c. 72, § 8, amended. Section 8 of chapter 72 of the private and special laws of 1923 is hereby amended by adding thereto 2 new paragraphs, to read as follows:

'The trustees shall choose annually a treasurer to serve for a term of 1 year, fix the treasurer's salary and fill vacancies in that office. The treasurer shall be subject to removal at any time by vote of the board of trustees. The treasurer shall furnish a bond to the satisfaction and approval of the trustees, the expense of said bond to be borne by the district.

Special meetings of the district may be called by the trustees by posting a copy of the warrant or notice in 3 conspicuous places in the district and by advertising once in a newspaper published in the county, all at least 7 days prior to the date of the meeting. Said notice shall set forth in separate articles the purposes for which the meeting is called. Fifteen voters of the district shall constitute a legal quorum for any regular or special meeting of the district.'

Sec. 2. P. & S. L., 1923, c. 72, § 9-A, additional. Chapter 72 of the private and special laws of 1923 is hereby amended by adding thereto a new section, to be numbered 9-A, to read as follows:

'Sec. 9-A. Authority to borrow money. For accomplishing the purposes of this act, said district, through its trustees, without district vote, is authorized to borrow money from time to time, temporarily or for long terms, and to issue therefor the interest-bearing negotiable bonds and notes of the district, maturing serially or otherwise, and to make subsequent renewals of the same in whole or in part, and for said purposes and for the purpose of refunding any bonds, notes or other debt of the district and for the purpose of establishing a fund or funds therefor, and for the purpose of obtaining or providing money to pay any necessary expenses incurred in the creation of the district, in securing sources of supply and taking water and land, in paying damages, laying pipes, constructing and maintaining a water plant and making extensions, additions and improvements to the same, said district through its trustees may from time to time issue negotiable notes and bonds of the district, to an amount necessary in the judgment of the trustees therefor, maturing at 1 time or in uniform or varying instalments, with or without provisions for calling the same for payment before maturity, and in case of such call provisions, with or without providing for the payment of a premium of not exceeding 5% of the principal upon such call. Said notes and bonds shall be legal obligations of said district, which is hereby declared to be a quasi-municipal corporation within the meaning of sections 132 and 133 of chapter 49 of the revised statutes of 1944. The said notes and bonds shall be legal investments for savings banks.'

Sec. 3. P. & S. L., 1923, c. 72, § 10, sub-§ 1, amended. Subsection 1 of section 10 of chapter 72 of the private and special laws of 1923 is hereby amended to read as follows:

'1. To pay the current running expenses for **operating and** maintaining the water system and provide for such extensions and renewals as may become necessary, except where such extensions shall have been provided for by an issue of bonds as authorized in section ~~37~~ 42 of chapter ~~55~~ 40 of the revised statutes of 1944 and acts amendatory thereof. The trustees may use the revenue from rates to make extensions unless it has done so by an issue of bonds.'

Sec. 4. P. & S. L., 1923, c. 72, § 10, sub-§ 4, additional. Section 10 of chapter 72 of the private and special laws of 1923 is hereby amended by adding thereto a new subsection, to be numbered 4, to read as follows:

'4. If any surplus remains at the end of the year, it may be turned into the sinking fund.'

Sec. 5. P. & S. L., 1923, c. 72, § 13, amended. Section 13 of chapter 72 of the private and special laws of 1923 is hereby amended to read as follows:

'Sec. 13. Existing statutes not affected; rights conferred subject to chapter 40 of the revised statutes. Nothing herein contained is intended to repeal or shall be construed as repealing the whole or any part of any existing statute. All the rights and duties herein mentioned shall be exercised and performed in accordance with all the applicable provisions of chapter ~~forty five~~ **40** of the revised statutes **of 1944** and acts amendatory thereof and additional thereto.'