

# MAINE STATE LEGISLATURE

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

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Legislative Document

No. 516

H. P. 357

House of Representatives, February 5, 1959

Referred to the Committee on Legal Affairs, sent up for concurrence and ordered printed.

HARVEY R. PEASE, Clerk.

Presented by Mr. Caswell of New Sharon.

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STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
FIFTY-NINE

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AN ACT Relating to Management and Powers of the  
Farmington Village Corporation.

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

Sec. 1. P. & S. L., 1911, c. 142, §§ 2-A - 2-E, additional. Chapter 142 of the private and special laws of 1911 is amended by adding 5 new sections, 2-A to 2-E, to read as follows:

'Sec. 2-A. Management of the water works. All the affairs of the water works shall be managed by the board of assessors of the Farmington Village Corporation, elected as hereinafter provided. The clerk and the treasurer of Farmington Village Corporation shall be clerk and treasurer of the water works. The assessors shall, from time to time, authorize the completion of such additions, extensions and improvements in the source of water supply, transmission and distribution mains, reservoirs, purification installations and other facilities as they may determine necessary for the proper operation of the water works. The assessors, from time to time, may choose and employ, and fix the compensation of, any other necessary officers and agents, who shall serve at their pleasure.

Sec. 2-B. Authorized to borrow money, to issue notes and bonds. For accomplishing the purposes of this act, said corporation, through its assessors, without corporation vote, is authorized to borrow money from time to time, and to issue therefor interest-bearing negotiable notes of the corporation, 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 notes, bonds or other legal obligations and indebtedness to establish a fund therefor.

For the purpose of obtaining or providing money to pay or meet any necessary expenses and liabilities under sections 2-A to 2-E, including expense in securing sources of water supply, taking water and land, paying damages, laying pipes, constructing, maintaining and operating a water works, and making extensions, additions and improvements to the same, the said corporation, through its assessors, may from time to time issue bonds of the corporation, without corporation vote, maturing and payable at such time or times, in uniform or varying installments, with or without such call provisions, at such interest rates, and with or without such a premium or premiums, as said assessors shall determine. Said notes and bonds shall be legal obligations of the said corporation, which is hereby declared to be a quasi-municipal corporation within the meaning of the Revised Statutes of 1954, chapter 53, section 137, and chapter 90-A, section 23, as enacted by the public laws of 1957, chapter 405, section 1. The said bonds and notes shall be legal investments for savings banks.

Sec. 2-C. Property tax exempt. The property of said corporation shall be exempt from taxation by any town.

Sec. 2-D. Waters rates; application of revenue; sinking fund. All individuals, firms and corporations, whether private, public or municipal, shall pay to the treasurer of said corporation the rates established by said board of assessors for the services used by them, said rates shall be subject to the approval of the Public Utilities Commission. Said rates shall be so established as to provide revenue for the following purposes:

- I. To pay current expenses for operating and maintaining the water system;
- II. To pay the assessors such annual compensation for their services as may, from time to time, be voted by the Farmington Village Corporation;
- III. To provide for the payment of the interest on the indebtedness of the corporation created by the water works;
- IV. To provide for the retirement of serial notes and bonds issued by the corporation to pay for extensions, additions and improvements of the water system;
- V. To provide each year a sum equal to but not less than 1% nor more than 5% of the entire indebtedness of the corporation created by the water works, which sum shall be turned into a sinking fund and there kept to provide for the extinguishment of said indebtedness. The money set aside for the sinking fund shall be devoted to the retirement of the obligations of the corporation or invested in such securities as savings banks or fiduciaries or trustees are now or hereinafter may be allowed to hold;
- VI. If any surplus remains at the end of the year it may, by vote of the assessors, be turned into a sinking fund.

Sec. 2-E. Existing statutes not affected; rights conferred subject to provisions of law. Nothing herein is intended to repeal, or shall be construed as repealing the whole or any part of any existing statute, and all the rights and duties herein mentioned shall be exercised and performed in accordance with

**all the applicable provisions of the Revised Statutes of 1954, chapter 44, and all acts amendatory thereof or additional thereto.**

**Referendum; effective date; certificate to Secretary of State.** This act shall take effect 90 days after adjournment of the Legislature, only for the purpose of permitting its submission to the qualified voters of the Farmington Village Corporation at a special meeting to be called for the purpose. An appropriate article is to be inserted in the warrant for said meeting.

The corporation clerk shall prepare the required ballots on which he shall reduce the subject matter of this act to the following question: "Shall 'An Act Relating to Management and Powers of the Farmington Village Corporation,' passed by the 99th Legislature, be accepted?" The voters shall indicate by a cross or check mark placed against the words "Yes" or "No" their opinion of the same.

This act shall take effect immediately for all purposes hereof immediately upon its acceptance by a majority of the legal voters voting at said meeting. The result of the vote shall be declared by the officers of the corporation and due certificate thereof shall be filed by the corporation clerk with the Secretary of State.