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An Act To Create the Washburn Water and Sewer District

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

Sec. A-1. Territorial limits; corporate name. Pursuant to the Maine Revised Statutes, Title 35-A, chapter 64, the Town of Washburn and its inhabitants constitute a standard district under the name Washburn Water and Sewer District, referred to in this Act as "the district."

Sec. A-2. Powers; authority; duties. The district has all the powers and authority and is subject to all the requirements and restrictions provided in the Maine Revised Statutes, Title 35-A, chapter 64.

Sec. A-3. Additional powers. The district is authorized to provide water and sewage treatment and collection systems for public purposes and for the health, comfort and convenience of the residents of the Town of Washburn.

Sec. A-4. Number of trustees. The board of trustees of the district is composed of 3 trustees. A trustee must be a resident of the district and reside in a household to which the district's service is provided.

Sec. A-5. Terms of trustees. Trustees are elected to 3-year terms.

Sec. A-6. Authorized to acquire property and franchise of Washburn Water and Sewer Department. The district, through its trustees, may acquire by purchase the plants, properties, assets, franchises, rights and privileges owned by the Washburn Water and Sewer Department, including all lands, waters, water rights, reservoirs, pipes, machinery, fixtures, hydrants, tools and all apparatus and appliances used or usable in supplying water in the area of the district. The sale and transfer by the Washburn Water and Sewer Department to the district of its plants, properties, assets, franchises, rights and privileges; the assumption by the district of all of the outstanding debts, obligations and liabilities of the district pursuant to this section; and the subsequent use of the plants, properties, assets, franchises, rights and privileges by the district within the limits of the district are subject to the approval of the Public Utilities Commission as may be required by the Maine Revised Statutes, Title 35-A, Part 1.

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

"Do you favor creating the Washburn Water and Sewer District and permitting it to acquire assets of the Washburn Water and Sewer Department?"

The voters shall indicate by a cross or check mark placed against the word "Yes" or "No" their opinion of the same. The results must be declared by the municipal officers of the Town of Washburn and due certificate of the results filed by the clerk with the Secretary of State. This Act takes effect for all other

purposes immediately upon its approval by a majority of the legal voters voting at the election. Failure to achieve the necessary approval in any referendum does not prohibit subsequent referenda consistent with this section, provided the referenda are held within 2 years of the effective date of this Act.

Sec. B-1. Existing trustees. The trustees of the Washburn Water and Sewer Department holding office on the effective date of this Act hold office as trustees for the terms for which they were elected and, as each term expires, one trustee must be elected by the registered voters of the district at the next annual meeting of the district to serve for a term of 3 years. If a vacancy arises, it must be filled for the remainder of the unexpired term.

SUMMARY

This bill establishes the Washburn Water and Sewer District.