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An Act To Establish the Island Falls Water District

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

Sec. 1. Territorial limits; corporate name. Pursuant to the Maine Revised Statutes, Title 35-A, chapter 64, the inhabitants and that part of the Town of Island Falls constitute a standard district under the name Island Falls Water District, referred to in this Act as "the district," described as follows:

Beginning at a point 46° 0'2.23"N, 68° 16'3.53"W; thence in a northwesterly direction to a point 46° 1'0.93"N, 68° 16'53.87"W; thence in a northeasterly direction to a point 46° 1'11.92"N, 68° 16'34.27"W; thence in a southeasterly direction to a point 46° 0'45.61"N, 68° 15'38.34"W; thence continuing in a southeasterly direction to a point 46° 0'41.58"N, 68° 15'19.55"W; thence in a northeasterly direction to a point 46° 1'1.11"N, 68° 15'0.62"W; thence in a southeasterly direction to a point 46° 0'48.72"N, 68° 14'42.68"W; thence in a southwesterly direction to the point of beginning.

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

Sec. 3. Power to take water. The district is authorized to take, to hold and to convey within the Town of Island Falls and from any part of the town water from any surface water or groundwater source within the town.

Sec. 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.

Sec. 5. First board. The first board of trustees of the district is appointed by the municipal officers of the Town of Island Falls. The terms of the first board are governed by the Maine Revised Statutes, Title 35-A, section 6410.

Sec. 6. Terms of trustees. After the appointment of the first board of trustees of the district, trustees are elected to 3-year terms.

Sec. 7. Acquisition of property of Island Falls Water Department. The district, through its trustees, may acquire by purchase the plants, properties, assets, franchises, rights and privileges owned by the Island Falls Water Department, including, without limitation, all lands, waters, water rights, reservoirs, pipes, machinery, fixtures, hydrants, tools, treatment systems, treatment facilities and pump stations and all apparatus and appliances used or usable in supplying water within the district.

Sec. 8. Assumption of debts. On the date of purchase of the property of the Island Falls Water Department by the district pursuant to section 7, the district shall assume all of the outstanding debts, obligations and liabilities of the department, including, without limitation, the assumption by the district of any outstanding notes or bonds of the department that are due on or after the date of purchase. If the debt, obligations, liabilities, notes or bonds are not assumable, then the district shall otherwise be obligated for their repayment.

Sec. 9. Transfer of contracts, permits and licenses. All contracts between the Island Falls Water Department and any person, firm or corporation that are in effect on the date of purchase pursuant to section 7 are assumed and must be carried out by the district. All permits and licenses held by the department that are in effect on the date of purchase pursuant to section 7 are assumed by the district.

Sec. 10. Approval of Public Utilities Commission. The sale and transfer by the Island Falls Water Department to the district of its plants, properties, assets, franchises, rights and privileges and the assumption by the district of the department's outstanding debts, obligations and liabilities 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 under the Maine Revised Statutes, Title 35-A, Part 1.

Sec. 11. 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 Island Falls Water District and permitting it to acquire assets of the Island Falls Water 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 Island Falls 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.