



# 125th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2011

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Legislative Document

No. 1441

S.P. 448

In Senate, April 12, 2011

### An Act To Amend the Yarmouth Water District Charter

(AFTER DEADLINE)

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Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

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

*Joseph G. Carleton Jr.*

JOSEPH G. CARLETON, JR.  
Secretary of the Senate

Presented by Senator WOODBURY of Cumberland.  
Cosponsored by Representative: INNES of Yarmouth.

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

2 **Sec. 1. P&SL 1923, c. 72, §2, first sentence,** as amended by P&SL 1993, c. 32,  
3 §1, is further amended to read:

4 For any of the purposes set forth in this Act, or for the preservation and purity of its  
5 water, the district is ~~hereby~~ authorized to take and use water from the Royal River, or  
6 from any spring, pond, brook or other source of water in the ~~Towns~~ Town of Yarmouth  
7 and the Town of New Gloucester, except that the use of any source of water in the Town  
8 of New Gloucester by the district will be allowed only after approval by a joint body of  
9 equal number of representatives from both the Yarmouth Water District Board of  
10 Trustees and the ~~selectmen~~ municipal officers of the Town of New Gloucester, or from  
11 any springs, brook, pond or other source of water in the Town of North Yarmouth or the  
12 Town of Cumberland, or to purchase from any other water district or company; to  
13 conduct water through the Town of Cumberland and to conduct and distribute water into  
14 and through the ~~Towns~~ Town of Yarmouth and the Town of North Yarmouth; to survey  
15 for, locate, lay, erect and maintain suitable dams, reservoirs and machinery, pipes,  
16 aqueducts and fixtures; to carry its pipes or aqueducts under, in and over the Royal River,  
17 so called, or under or over any water course or body of water, bridge, street, railroad,  
18 highway or other way; and the district is further authorized to enter upon and excavate  
19 any highway or other way, in such manner as to least ~~to~~ disturb that way, and shall leave  
20 those ways in as safe and passable condition as before ~~such~~ the excavation; to enter, pass  
21 over and excavate any lands, and to take and hold by purchase or otherwise, any real  
22 estate, rights of way or of water, and in general to do any acts necessary, convenient or  
23 proper for carrying out any of the purposes specified in this section.

24 **Sec. 2. P&SL 1923, c. 72, §8,** as amended by P&SL 1989, c. 111, §3 and affected  
25 by §13, is further amended by amending the 11th sentence to read:

26 Regular meetings of the district ~~shall~~ must be held ~~annually on the third Monday in~~  
27 ~~February~~ at a time and place to be determined by the board of trustees, and special  
28 meetings ~~shall~~ must be called at any time by the trustees or any member of ~~said~~ the board  
29 of trustees upon a written request of any ~~ten~~ 30 lawful voters of ~~said~~ the district.

30 **SUMMARY**

31 This bill amends the Yarmouth Water District's charter to allow the district to  
32 purchase 2 wells from the Town of Cumberland and to conduct water from the Town of  
33 Cumberland to the Yarmouth Water District's service territory. The bill also amends the  
34 charter to give the board of trustees greater latitude as to when it schedules meetings.