

§6401. Purpose; scope and application; commission authority

1. Purpose. The purpose of this chapter, which may be known and cited as the "Standard Water District Enabling Act," is to promote consistency among the powers and authorities of water districts in this State. The intent of this chapter is to suggest standard provisions that a district formed after January 1, 1997 may consider including in its charter. Except as specifically provided in subsection 2, in recognition of the unique nature of each water district, its customers and its priorities, the suggested provisions are specifically not intended to be mandatory in nature and are not intended to apply to districts formed prior to January 1, 1997.

[PL 1995, c. 616, §10 (NEW).]

2. Scope and application. The provisions of this chapter apply as follows.

A. The following provisions apply to all water districts, regardless of when chartered, and any portion of a water district charter that is contrary to the provisions is void and of no effect:

- (1) Section 6410, subsection 7;
- (2) Section 6410, subsection 8;
- (3) Section 6413-A; and
- (4) Section 6414-A. [PL 2003, c. 147, §1 (AMD).]

B. The following provisions apply to all water districts formed on or after January 1, 1982:

- (1) Subsection 3;
- (2) Section 6410, subsection 5; and
- (3) Section 6416. [PL 1995, c. 616, §10 (NEW).]

C. Except as provided in paragraphs A and B or in subsection 3 or by charter or other provision of law, the provisions of this chapter do not apply to districts formed prior to January 1, 1997. [PL 1995, c. 616, §10 (NEW).]

[PL 2003, c. 147, §1 (AMD).]

3. Water districts; commission authority. Notwithstanding any terms, conditions or limitations, either expressed or implied, in a special Act of the Legislature under which a district is organized or in any special Act of the Legislature under which a district is franchised, the commission may establish reasonable terms upon which water districts shall extinguish their long-term indebtedness. This subsection does not authorize the commission to alter the terms of any existing obligations of a water district.

[PL 1995, c. 616, §10 (NEW).]

SECTION HISTORY

PL 1995, c. 616, §10 (NEW). PL 2003, c. 147, §1 (AMD).

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