

MAINE STATE LEGISLATURE

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L.D. 1914

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STATE OF MAINE
HOUSE OF REPRESENTATIVES (Filing No. H-590)
110TH LEGISLATURE
SECOND REGULAR SESSION

6 COMMITTEE AMENDMENT "A" to H.P. 1931, L.D. 1914, Bill,
7 "AN ACT to Exempt the York Water District from the Revised
8 Statutes, Title 35, chapter 262, Relating to Local Control
9 of Water Districts in Existence Prior to January 1, 1982."

10 Amend the Bill by striking out all of the title and
11 inserting in its place the following:

12 'AN ACT to Clarify the Application of the Maine Water
13 District Act to Existing Water Districts.'

14 Further amend the Bill by striking everything after the
15 title and inserting in its place the following:

16 'Emergency preamble. Whereas, Acts of the Legislature
17 do not become effective until 90 days after adjournment
18 unless enacted as emergencies; and

19 Whereas, Maine water utilities provide an important
20 service to the people of Maine; and

21 Whereas, there is ambiguity regarding the extent to
22 which the Maine Water District Act of 1981 applies to water
23 districts in existence prior to January 1, 1982; and

24 Whereas, this ambiguity has caused problems for water
25 districts engaged in borrowing money; and

26 Whereas, in the judgment of the Legislature, these
27 facts create an emergency within the meaning of the Consti-
28 tution of Maine and require the following legislation as
29 immediately necessary for the preservation of the public
30 peace, health and safety; now, therefore,

31 Be it enacted by the People of the State of Maine as fol-
32 lows:

1 COMMITTEE AMENDMENT "A" to H.P. 1931, L.D. 1914

2 35 MRSA §3226, 2nd sentence, as enacted by PL 1981, c.
3 447, §1, is repealed and the following enacted in its place:

4 This chapter does not apply to water districts formed before
5 January 1, 1982, except that section 3223, subsections 4 and
6 5, shall apply to those districts. Any portion of the char-
7 ter of those districts which is contrary to those subsec-
8 tions is repealed.

9 Emergency clause. In view of the emergency cited in
10 the preamble, this Act shall take effect when approved.'

11 STATEMENT OF FACT

12 The original bill was intended to clear up ambiguities
13 raised by bond counsel in connection with the York Water
14 District. Since those ambiguities in Title 35, section 3226
15 affect all existing water districts, this amendment address-
16 es the general problem by amending that section. This
17 amendment clarifies the intent of the Legislature in enact-
18 ing the Maine Water District Act of 1981 by making it clear
19 that the Act, Public Law 1981, chapter 477, primarily
20 applies to water districts formed after January 1, 1982.
21 Only the provisions dealing with the trustees' compensation
22 and trustees' retirement apply to districts in existence
23 prior to January 1, 1982.

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Reported by the Committee on Public Utilities.
Reproduced and distributed under the direction of the Clerk
of the House.

2/9/82

(Filing No. H-590)