

# MAINE STATE LEGISLATURE

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# 118th MAINE LEGISLATURE

## SECOND REGULAR SESSION-1998

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Legislative Document

No. 2175

H.P. 1546

House of Representatives, January 28, 1998

**An Act to Remove the Debt Limit of the Limerick Water District.**

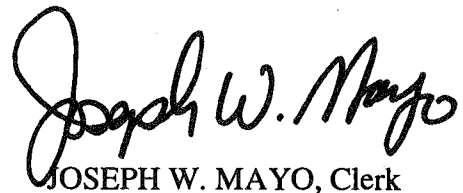
(AFTER DEADLINE)

(EMERGENCY)

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

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

  
JOSEPH W. MAYO, Clerk

Presented by Representative McALEVEY of Waterboro.  
Cosponsored by Senator LIBBY of York.

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

4  
6           **Whereas,** 2 large fires during the 1990's within the Town of  
Limerick have illustrated the inadequacy of the fire protection  
available through the Limerick Water District, and in particular  
8           the need to increase the size of the primary water main through  
the town; and

10  
12           **Whereas,** the Department of Human Services has indicated to  
the Limerick Water District that its system reservoir is in  
disrepair and needs to be replaced in order to maintain the  
14           quality of the water supply; and

16           **Whereas,** the Limerick Water District plans to address these  
deficiencies in 1998 by constructing a new reservoir and  
18           replacing the primary water main, which will in turn require the  
district to borrow funds in excess of the debt limit established  
20           in its charter. These funds must be obtained during the spring  
of 1998 in order to permit construction during the summer and  
22           fall of that year; and

24           **Whereas,** in conjunction with the Limerick Water District's  
financing efforts, the Town of Limerick is in the process of  
26           procuring a community development block grant from the State,  
which will be lost if not utilized for construction during 1998;  
28           and

30           **Whereas,** in the judgment of the Legislature, these facts  
create an emergency within the meaning of the Constitution of  
32           Maine and require the following legislation as immediately  
necessary for the preservation of the public peace, health and  
34           safety; now, therefore,

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

38           **Sec. 1. P&SL 1957, c. 219, §10, first sentence is amended to read:**

40           For accomplishing the purposes of this act, and for such other  
expenses as may be necessary for the carrying out of said  
42           purposes, said district, through its trustees, without district  
vote, is authorized to borrow money temporarily and to issue  
44           therefor its negotiable notes, and for the purpose of renewing  
and refunding the indebtedness so created, of paying any  
46           necessary expenses and liabilities incurred under the provisions  
of this act, including organizational and other necessary  
48           expenses and liabilities whether incurred by the district or the  
Town of Limerick, the district being authorized to reimburse

2 said Town of Limerick for any such expenses incurred by it, and  
3 in acquiring properties, paying damages, laying pipes, mains,  
4 aqueducts and conduits, constructing, maintaining and operating a  
5 water plant or system and making renewals, additions, extensions  
6 and improvements to the same, and to cover interest payments  
7 during the period of construction, said district, through its  
8 trustees, without district vote, is also authorized to issue,  
9 from time to time, bonds, notes or other evidences of  
10 indebtedness of the district in one series, or in separate  
11 series, in such amount or amounts, bearing interest at such rate  
12 or rates, and having such terms and provisions as the trustees  
13 shall determine; ~~provided that the total indebtedness of said~~  
14 ~~district at any one time outstanding shall not exceed the sum of~~  
\$200,000.

16 **Emergency clause.** In view of the emergency cited in the  
17 preamble, this Act takes effect when approved.

18

### 19 SUMMARY

20

21 This bill removes the current debt limit within the charter  
22 of the Limerick Water District.