

MAINE STATE LEGISLATURE

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UTILITIES AND ENERGY

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
124TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 165, L.D. 200, Bill, "An Act To Amend the Charter of the Caribou Utilities District"

Amend the bill by striking out all of section 3 (page 1, line 23 to 27 in L.D.) and inserting the following:

'Sec. 3. P&SL 1945, c. 83, §3 is repealed and the following enacted in its place:

Sec. 3. Right of eminent domain conferred. The district is authorized and empowered to acquire and hold real and personal property necessary or convenient for its purposes. The district is granted the right of eminent domain as specified in the Maine Revised Statutes, Title 38, section 1152 with respect to its sewer functions and is granted the right of eminent domain as specified in Title 35-A, section 6408 with respect to its water functions.'

Amend the bill by striking out all of sections 6 to 9 (page 2, lines 3 to 29 in L.D.) and inserting the following:

'Sec. 6. P&SL 1945, c. 83, §5, as repealed and replaced by P&SL 1981, c. 47, §1, is repealed and the following enacted in its place:

Sec. 5. Procedure as to the exercise of right of eminent domain for sewer; appeal. In exercising rights of eminent domain with respect to its sewer functions, the district shall comply with the procedures established in the Maine Revised Statutes, Title 38, sections 1152-A, 1153 and 1154.

Sec. 7. P&SL 1945, c. 83, §6 is repealed.

Sec. 8. P&SL 1945, c. 83, §6-A is enacted to read:

Sec. 6-A. Procedure as to the exercise of right of eminent domain for water. In exercising rights of eminent domain with respect to its water functions, the district shall comply with the procedures established in the Maine Revised Statutes, Title 35-A, section 6409.

Sec. 9. P&SL 1945, c. 83, §8-A is enacted to read:

COMMITTEE AMENDMENT

R. S.

1 Sec. 8-A. Trustees' compensation. Trustees' compensation is governed by the
2 Maine Revised Statutes, Title 38, section 1252, subsection 5.

3 **Sec. 10. P&SL 1945, c. 83, §8-B** is enacted to read:

4 Sec. 8-B. Trustees' retirement eligibility. Trustees' retirement is governed by
5 the Maine Revised Statutes, Title 38, section 1252, subsection 6.'

6 Amend the bill in section 11 in section 12 by striking out all of the last 6 lines (page
7 3, lines 35 to 40 in L.D.) and inserting the following: 'and as defined in the Maine
8 Revised Statutes, Title 36, section 5402, must first be approved by local referendum of
9 the voters of the district, but not for the acquisition of the property of the Caribou Water
10 Works Corporation provided in this Act, and not for the already planned for local share
11 of sewerage treatment plant, the aggregate of both of which shall not exceed \$6,000,000
12 or for renewing or refunding existing indebtedness or to pay for maintenance, repairs or
13 current expenses the district shall comply with the provisions of Title 35-A, section 6310.

14 Amend the bill by striking out all of sections 13 to 15 (page 4, lines 1 to 43; page 5,
15 lines 1 to 47; page 6, lines 1 to 43; and page 7, lines 1 to 14 in L.D.) and inserting the
16 following:

17 **'Sec. 13. P&SL 1945, c. 83, §15,** as repealed and replaced by P&SL 1981, c. 47,
18 §6, is repealed and the following enacted in its place:

19 Sec. 15. Rates. All water rates, tolls, rents and charges of the district are governed
20 by the Maine Revised Statutes, Title 35-A, chapter 3 and chapter 61. All sewer rates,
21 tolls, rents and charges of the district are governed by Title 38, section 1202.

22 **Sec. 14. P&SL 1945, c. 83, §16-A,** as enacted by P&SL 1957, c. 7, §2, is
23 amended to read:

24 **Sec. 16-A. Rights of abutters to enter sewer.** The district at all times shall be
25 is bound to permit the owners owner or agent of premises abutting upon its the district's
26 lines of pipes and conduits to enter the same with all proper sewage, upon conformity to
27 the rules and regulations of the district and payment of the rates, tolls, rents and charges
28 established therefor. Every building in the district intended for human habitation or
29 occupancy on premises abutting on a street in which there is a public sewer or any such
30 building within 100 feet of a public sewer shall must have a sewerage system which shall
31 be caused to be connected with to the public sewer by the owner or agent of the premises
32 in the most direct manner possible, and, if feasible, with a separate connection for each
33 house or building; except that existing buildings which are already served by a
34 satisfactory private sewage disposal system which meets and continues to meet the
35 requirements of section 122 (b) of the state plumbing code and amendments thereto shall
36 not be required to connect with the public sewer. Any such Exceptions to the
37 requirement to connect to the public sewer are governed by the Maine Revised Statutes,
38 Title 38, section 1252, subsection 3. A private sewage disposal system which that is not
39 required to connect to the public sewer pursuant to Title 38, section 1252, subsection 3
40 that fails to meet or continue to meet the requirements of section 122 (b) of the state
41 plumbing code and amendments thereto to the state plumbing code is hereby declared to
42 be a public nuisance.

COMMITTEE AMENDMENT

P. 8. 8.

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Sec. 15. P&SL 1945, c. 83, §16-B, as enacted by P&SL 1957, c. 7, §2, is repealed and the following enacted in its place:

Sec. 16-B. Lien for payment of rates. Liens for unpaid water rates, tolls, rents or charges are governed by the Maine Revised Statutes, Title 35-A, section 6111-A. Liens for unpaid sewer rates, tolls, rents or charges are governed by Title 38, section 1208.

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

SUMMARY

This amendment makes a series of technical changes to the bill to provide cross-references to relevant provisions in the Maine Revised Statutes, Title 35-A, with respect to water functions of the district, and to relevant provisions in Title 38, with respect to sewer functions of the district.