

MAINE STATE LEGISLATURE

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(EMERGENCY)
SECOND SPECIAL SESSION

ONE HUNDRED AND THIRD LEGISLATURE

Legislative Document

No. 1782

H. P. 1276 House of Representatives, January 9, 1968
Referred to Committee on Public Utilities. Sent up for concurrence and
ordered printed.

BERTHA W. JOHNSON, Clerk

Presented by Mr. Baker of Winthrop.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-EIGHT

AN ACT to Increase the Borrowing Capacity of the Winthrop Water District.

Emergency preamble. Whereas, Acts and resolves do not become effective until 90 days after the Legislature adjourns unless enacted as emergencies; and

Whereas, it is necessary for the Winthrop Water District to construct additional sewerage facilities in order to alleviate pollution problems in Lake Annabessacook and other waters; and

Whereas, in order to do so it is necessary for the district to increase its debt limit in order to borrow funds for said purpose; and

Whereas, it is imperative that action be taken at the earliest possible time to eliminate such condition; and

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

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

P. & S. L., 1923, c. 98, § 13, amended. The first sentence of section 13 of chapter 98 of the private and special laws of 1923, as last amended by chapter 138 of the private and special laws of 1957, is further amended to read as follows: For accomplishing the purposes of this act, said water district, through its trustees, is authorized to borrow money temporarily and to issue therefor the interest-bearing negotiable notes of the district, and for the purpose of paying or refunding the indebtedness so created, of paying any necessary expenses or

liabilities, incurred under the provisions of this act, including the expenses incurred in the creating of the district, in acquiring the plants, properties and franchises of said Hillside Water Company, of the Winthrop Water Company, of the Towle Packing Company and of said Carleton, by purchase or otherwise or in the purchase or acquisition of the properties and franchises of said defendant companies and of said Carleton, of securing sources of supply, taking water and lands, paying damages, laying pipes, constructing, maintaining and operating a water plant and a sewerage system and making renewals, extensions, additions and improvements to the same, the said water district, through its trustees, may from time to time issue bonds of the district; ~~provided however, that bonds for sewerage facilities shall not exceed the sum of \$600,000 to such amount as said trustees shall determine.~~

Emergency clause; referendum; certificate to Secretary of State. In view of the emergency cited in the preamble, this Act shall take effect when approved, only for the purpose of permitting its submission to the legal voters of the territory embraced within the limits of said district and the legal voters of the Town of Winthrop who own real estate within said district, present and voting at a special election or elections called and held for the purpose on petition therefor, signed by at least 20 legal voters resident within said district. Such special election or elections shall be called, advertised and conducted according to the law relating to municipal elections; provided, however, that the board of registration in said Town of Winthrop shall prepare and furnish separate check lists for such of the voters within said district as are then legal voters of said town and reside in said district and any additional individuals owning real estate within said district who are legal voters of the Town of Winthrop and all notices, warrants or other proceedings shall be varied accordingly so as to show that only such voters as reside in said district or town as aforesaid are entitled to vote at such meeting. At such meeting the vote shall be by ballot bearing the question: "Shall the Act Relating to the Winthrop Water District, passed by the 103rd Legislature in the 2nd special session, whereby the district is authorized to increase its borrowing capacity, be accepted?" The voters shall indicate by a cross or check mark placed against the words "Yes" or "No" their opinion of the same. This Act shall take effect for all the purposes hereof immediately upon its acceptance by a majority of the legal voters voting at said meeting; provided that the total number of votes cast for and against the acceptance of this Act equals or exceeds 20% of the number of voters on said check list. Failure of approval by the necessary majority or percentage of voters shall not prevent subsequent elections.

The result of the vote in said district shall be declared by the selectmen of the Town of Winthrop and due certificate thereof filed by the town clerk with the Secretary of State.