

MAINE STATE LEGISLATURE

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(EMERGENCY)

ONE HUNDRED AND FOURTH LEGISLATURE

Legislative Document

No. 706

H. P. 535

House of Representatives, February 6, 1969

Referred to Committee on Public Utilities. Sent up for concurrence and ordered printed.

BERTHA W. JOHNSON, Clerk

Presented by Mr. Clark of Jefferson.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-NINE

AN ACT Increasing Borrowing Capacity of Waldoboro Sewer District.

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

Whereas, Medomak Canning Company is located in the area of the Waldoboro Sewer District and has a pollution problem which requires immediate correction; and

Whereas, the proper treatment and disposal of the effluent from this plant is essential to preserve the health and wellbeing of the inhabitants of the Waldoboro Sewer District; and

Whereas, it is imperative that action be taken at once to eliminate any danger to the health and well-being of said inhabitants; and

Whereas, it has been determined that the borrowing capacity of the above-named district is presently inadequate to finance the facilities needed in order to eliminate this source of pollution which exists in the district; 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:

Sec. 1. P. & S. L., 1963, c. 146, § 17, amended. The first sentence of section 17 of chapter 146 of the private and special laws of 1963, as amended

by section 1 of chapter 216 of the private and special laws of 1963, is further amended to read as follows:

For accomplishing the purposes of this Act, said district, by resolutions of its board of trustees, without district vote, is hereby authorized to borrow money temporarily and to issue therefor its negotiable notes, and for the purpose of renewing and refunding the indebtedness so created, of paying any necessary expenses and liabilities incurred under the provisions of this Act, including organizational and other necessary expenses and liabilities incurred by the district or the Town of Waldoboro, the district being authorized to reimburse said Town of Waldoboro for any such expense incurred or paid by it, and in acquiring properties, paying damages, laying sewers, drains and conduits, constructing, maintaining and operating a sewage plant or system and making renewals, additions, extensions and improvements to the same and to cover interest payments during the period of construction, said Waldoboro Sewer District, by resolutions of its board of trustees, without district vote, is also hereby authorized to issue, from time to time, bonds, notes or other evidence of indebtedness of the district in one series or in separate series, in such amount or amounts, bearing interest at such rate or rates, and having such terms and provisions as the trustees shall determine; provided, however, that the total indebtedness of said district at any one time outstanding shall not exceed the sum of ~~\$250,000~~ \$600,000.

Sec. 2. P. & S. L., 1963, c. 146, § 24, amended. The 5th and 7th sentences of the 2nd paragraph of section 24 of chapter 146 of the private and special laws of 1963 are amended to read as follows:

In the case of a nonresident of the district, the aforesaid notice shall be given by registered or certified mail addressed to his last known address or by publication in a newspaper of general circulation within the district once a week for 2 successive weeks, and shall demand payment within 30 days after the mailing thereof or first publication of notice thereof as aforesaid.

At the time of the recording of any such certificate in the registry of deeds as heretofore provided the treasurer shall file in the office of the district a true copy of such certificate and shall mail a true copy thereof by registered or certified mail to each record holder of any mortgage on said real estate, addressed to such record holder at his last and usual place of abode.

Sec. 3. P. & S. L., 1963, c. 146, § 27, repealed and replaced. Section 27 of chapter 146 of the private and special laws of 1963, as enacted by section 2 of chapter 216 of the private and special laws of 1963, is repealed and the following enacted in place thereof:

Sec. 27. Town of Waldoboro authorized to raise money to contribute to district. Notwithstanding the creation of the Waldoboro Sewer District as a separate entity, the Town of Waldoboro is hereby authorized from time to time to raise and appropriate money for the purpose of providing financial assistance to said district.

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