

MAINE STATE LEGISLATURE

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ONE HUNDRED AND FOURTH LEGISLATURE

Legislative Document

No. 1168

H. P. 907

House of Representatives, March 4, 1969

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

BERTHA W. JOHNSON, Clerk

Presented by Mr. Drigotas of Auburn.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-NINE

AN ACT to Amend the Charter of the Lewiston-Auburn Water Pollution Control Authority.

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

Sec. 1. P. & S. L., 1967, c. 92, § 4, amended. The first sentence of section 4 of chapter 92 of the private and special laws of 1967 is amended to read as follows:

When property is to be taken through the exercise of the power of eminent domain, the authority shall cause to be recorded in the Androsocoggin County Registry of Deeds a description identifying the property to be taken with reasonable accuracy and indicating the names of the owners thereof, if known, together with a notice that the same is to be taken by the authority, signed by a majority of the members of the board of the authority as hereinafter constituted and defined in section 14.

Sec. 2. P. & S. L., 1967, c. 92, § 8, amended. The 5th sentence of the 2nd paragraph of section 8 of chapter 92 of the private and special laws of 1967 is amended to read as follows:

All bonds, notes or other evidences of indebtedness shall be signed by the treasurer and countersigned by the chairman of the board of the authority, and if coupon bonds are issued, the interest coupons attached thereto shall bear the facsimile signature of the treasurer of the ~~board~~ authority.

Sec. 3. P. & S. L., 1967, c. 92, § 11, amended. The first sentence of section 11 of chapter 92 of the private and special laws of 1967 is amended to read as follows:

The ~~board of the~~ authority shall annually prepare an itemized budget for its coming fiscal year itemizing expenses of operation, maintenance and repair, costs of contemplated capital construction and payments of principal and interest on fixed indebtedness and other borrowings.

Sec. 4. P. & S. L., 1967, c. 92, § 14, amended. The 3rd sentence of the first paragraph of section 14 of chapter 92 of the private and special laws of 1967 is repealed and the following enacted in place thereof:

The director of the Lewiston Department of Public Works and the superintendent of the Auburn Sewerage District shall be members of the board by virtue of their respective offices and in the event of the termination of their offices on the Board of Public Works and Auburn Sewerage District they shall continue as members of the board of the authority until their replacements are elected or appointed. In addition, the members of the Lewiston Board of Public Works and the trustees of the Auburn Sewerage District shall each elect one of their number to serve for a 2-year term on the board of the authority and thereafter until their successors take office. In the event that either of the members of the board so selected should cease to be a resident of his respective city, or should die, become incapacitated, or otherwise cease to be a member of the Lewiston Board of Public Works or the Auburn Sewerage District trustees, as the case may be, a successor shall be elected to serve for the remainder of the term in the same manner as members are elected to full 2-year terms on the board of the authority.

The terms of the incumbent chairman of the Board of Public Works and President of the Auburn Sewerage District trustees as members of the board of the authority shall expire and their successors shall assume office at the annual meeting of the board to be held in January 1970. Reasonable notice of the date of the meeting and of the necessity of electing a new member of the board of the authority, who may be the incumbent, shall be given to the Board of Public Works and the Auburn Sewerage District trustees by the secretary or clerk of the authority.

Sec. 5. P. & S. L., 1967, c. 92, § 14, amended. The 2nd paragraph of section 14 of chapter 92 of the private and special laws of 1967 is amended by adding after the 3rd sentence, a new sentence, as follows:

When a vacancy occurs in the position of the 5th member of the board, a replacement shall be elected by the remaining members of the board to serve for the remainder of the term in the same manner as initial elections are held.

Sec. 6. P. & S. L., 1967, c. 92, § 15, amended. The first 3 sentences of the 2nd paragraph of section 15 of chapter 92 of the private and special laws of 1967 are repealed and the following enacted in place thereof:

The board shall annually elect a chairman, treasurer, clerk or secretary, and such other officers as it may establish in its bylaws. The clerk and treasurer need not be members of the board and both offices may in the discretion of the board be held by the same person. The duties of the chairman and other officers shall be those established in this charter and in the bylaws of the authority and, in addition, such duties as may from time to time be prescribed

by the board and shall otherwise be those duties usually appertaining to their offices. The treasurer shall furnish to the board a bond payable to the authority issued by a surety company authorized to transact business within the State and satisfactory to the board in such sum as the board may prescribe and conditioned upon the faithful performance of his duties.

Sec. 7. P. & S. L., 1967, c. 92, § 16, amended. The first sentence of section 16 of chapter 92 of the private and special laws of 1967 is repealed and the following paragraph enacted in place thereof:

The board shall establish a fiscal year for the authority and shall adopt and may thereafter amend bylaws for the conduct of its affairs.

Sec. 8. P. & S. L., 1967, c. 92, § 16, amended. The 2nd and 3rd paragraphs of section 16 of chapter 92 of the private and special laws of 1967 are amended to read as follows:

The ~~board~~ **authority** shall establish an office at the site of the sewage treatment facilities in which its business may be conducted and in which maps, plans, documents, records and other papers relating to its business, land and other works and property in its charge, shall be kept. It shall at all times keep full and accurate accounts of its receipts, expenditures, disbursements, assets and liabilities, which shall at all reasonable times be open to inspection by representatives of the Cities of Auburn or Lewiston or of the Auburn Sewerage District.

The ~~board~~ **authority** shall make an annual report of its activities for the preceding year and shall submit a copy thereof to the mayor of the City of Lewiston, the President of the Auburn Sewerage District trustees and the Maine Water Improvement Commission.

Sec. 9. Authority's charter ratified. The charter of the Lewiston-Auburn Water Pollution Control Authority is hereby ratified and the appointment of the 5th member of the board of the authority is confirmed and the acts of the members of the board in their capacity as members during their terms of office are hereby ratified and confirmed as official acts of the authority.