

MAINE STATE LEGISLATURE

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(EMERGENCY)

ONE HUNDRED AND FOURTH LEGISLATURE

Legislative Document

No. 1491

S. P. 451

In Senate May 2, 1969

Referred to Committee on Legal Affairs. Sent down for concurrence and ordered printed.

JERROLD B. SPEERS, Secretary

Presented by Senator Berry of Cumberland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-NINE

AN ACT to Clarify the Charter of the City of South Portland.

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

Whereas, there is no municipal sewage treatment plant in the City of South Portland and the present sewage facilities are inadequate to serve the needs of the City of South Portland and to prevent pollution, and a new and adequate sewage treatment plant and disposal system should be provided; and

Whereas, preliminary studies and surveys, including engineering designs and plans, in respect of any such sewage treatment plant and disposal system must be made before decisions can be reached in respect of the nature, design and cost of any such sewage treatment plant and disposal system; and

Whereas, federal funds are not presently available to the City of South Portland for preliminary studies and surveys, including engineering designs and plans, in respect of a sewage treatment plant and disposal system; and

Whereas, it is imperative that action be taken at the earliest possible time to develop preliminary studies and surveys, including engineering designs and plans, in respect of a sewage treatment plant and disposal system to eliminate existing pollution and to prevent further pollution; and

Whereas, under article VI of the charter of the City of South Portland funds for preliminary studies and surveys, including engineering designs and plans, in respect of a sewage treatment plant and disposal system would have to be obtained by the issue of bonds payable in annual installments as there-of provided, and such bonds would have to be issued and would commence to

mature before the total cost of the capital project involving the construction of such sewage treatment plant and disposal system was known; 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., 1963, c. 162, Art. VI, § 602, amended. Section 602 of Article VI of chapter 162 of the private and special laws of 1963 is amended by adding at the end the following.

Anything in this charter to the contrary notwithstanding, the city may issue term notes to provide funds for preliminary studies and surveys, including engineering designs and plans, in respect of any proposed capital project, whether or not construction of such capital project shall be fully authorized at the time, and such notes, and any term notes issued as extensions or renewals thereof, shall be issued pursuant to resolution adopted by the affirmative vote of 5 members of the council. Any term notes issued pursuant to the preceding sentence may be paid from the proceeds of negotiable bonds, or notes in anticipation of bonds, issued pursuant to this charter or from other funds of, or available to, the city.

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