

MAINE STATE LEGISLATURE

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D. S. O. E. R.

STATE OF MAINE
SENATE
105TH LEGISLATURE

COMMITTEE AMENDMENT "A " to S.P. 452, L.D. 1375, Bill, "AN ACT to Authorize the Hallowell Water District to Collect and Treat Sewage."

Amend said Bill in section 3 by striking out all of the last paragraph and inserting in place thereof the following:

'The district shall have all the rights of a public service corporation under the Maine Revised Statutes of 1964, Title 30, section 4953, subsection 6.'

Further amend said Bill in section 10 by inserting in the 2nd line (same in L.D.) after the word "shall" the words and punctuation ', upon order of the court,'

Further amend said Bill in section 13 by adding at the end the following new sentence: 'The district shall assume the obligations of the City of Hallowell under any contract with the Augusta Sanitary District entered into pursuant to chapter 49 of the private and special laws of 1969.'

Further amend said Bill in section 14 by striking out all of the 3rd paragraph and inserting in place thereof the following:

'The sewer rates, rents and entrance charges shall be established to provide revenue for the following purposes:'

Further amend said Bill in section 14 by striking out in the first line of subsection 3 (same in L.D.) the figure "2%" and inserting in place thereof the figure '1%'

(Filing No. S-112)

Further amend said Bill in section 14 by adding at the end of subsection 4 the following new sentence: 'In lieu of establishing a sinking fund under this section, the district may make serial payments on notes or bonds, at least to the extent a serial payment in any year exceeds the above minimum sinking fund requirements.'

Further amend said Bill by striking out all of sections 15, 16, 17, 18 and 19.

Further amend said Bill by striking out all of section 21.

Further amend said Bill by striking out all of section 25 and inserting in place thereof the following:

'Sec. 25. P. & S. L., 1921, c. 75, §10, repealed and replaced.
Section 10 of chapter 75 of the private and special laws of 1921, as amended by section 2 of chapter 28 of the private and special laws of 1941, is repealed and the following enacted in place thereof:

Sec. 10. Affairs to be managed by board of trustees. All the affairs of said district shall be managed by a board of trustees composed of 5 members to be appointed by the mayor and confirmed by the city council of the City of Hallowell, 3 such members to be the present members in office as of the effective date hereof who shall serve the balance of their present terms, one holding office for one year, the 2nd for 2 years and the 3rd for 3 years and 2 additional members, one to be appointed and confirmed for 3 years and the other for 2 years from the time of the regular January meeting of the council next ensuing after the effective date hereof. As each term

(Filing No. S-112)

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expires new members shall be appointed and confirmed at the regular January meeting. In case of a vacancy by death, resignation or removal, a member shall be appointed and confirmed in like manner forthwith, to serve the remainder of the term in which the vacancy occurs. The member serving the last year of his appointment shall be chairman and the member serving the next to the last year shall be clerk. If 2 members are eligible for chairman or clerk there shall be an election of the board as to who shall be chairman or clerk. If a member is unable or declines to act as chairman or clerk, then the board shall elect a chairman or clerk from the board at large. All trustees shall serve until their successors are appointed and qualified and appointments and confirmations may be made later than the January meeting. The trustees shall annually elect a person treasurer who need not be necessarily a trustee. The trustees shall adopt a corporate seal and such bylaws as are necessary for their own convenience and the proper management of the affairs of the district. Said trustees may hold their meetings at the office of the district or in the city hall. The compensation of the trustees shall be at the rate of \$10 for each meeting attended, providing, however, that the total compensation shall not exceed \$200 each per annum. Said trustees shall be at all times subject to removal by the city government for proper cause shown.'

Further amend said Bill by renumbering the sections to run consecutively.

(Filing No. 112)

D. O. B.

Statement of Fact

The purpose of this amendment is to correct inconsistencies in the bill and to clarify the duties, membership and pay of the Board of Trustees.

Reported by the Committee on PUBLIC UTILITIES.

Reproduced and distributed pursuant to Senate Rule No. 11A.

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4/23/71