

# MAINE STATE LEGISLATURE

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(EMERGENCY)  
FIRST SPECIAL SESSION

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ONE HUNDRED AND SIXTH LEGISLATURE

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**Legislative Document**

**No. 2069**

H. P. 1676

House of Representatives, January 2, 1974

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

E. LOUISE LINCOLN, Clerk

Presented by Mr. Mahany of Easton.

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**STATE OF MAINE**

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-FOUR

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**AN ACT to Increase Borrowing Capacity of the Fort Fairfield  
Utilities District.**

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

Whereas, the Fort Fairfield Utilities District and The Great Atlantic and Pacific Tea Company have entered into an agreement for the construction, operation and maintenance of a municipal and industrial waste treatment facility in the Town of Fort Fairfield under the auspices of United States Public Law 92-500 (Federal Water Pollution Control Act), the same to be funded in part with federal funds, in part with State of Maine funds and in part with funds to be raised by said district; and

Whereas, in order to insure the success of said municipal-industrial waste treatment facility, it is necessary for the Fort Fairfield Utilities District to produce sufficient moneys with which to provide for interim financing for construction costs and other related costs; and

Whereas, the approval of the district's application for said project by the Environmental Protection Agency of the United States and the Department of Environmental Protection of the State of Maine are imminent and upon the granting of such approval said district should advertise said project for bid but could not unless its borrowing capacity is increased; and

Whereas, in order to accomplish these purposes it is necessary that the debt limit of the district be increased; 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., 1947, c. 148, § 12, amended.** The first sentence of section 12 of chapter 148 of the private and special laws of 1947, as last amended by chapter 103 of the private and special laws of 1967, is further amended to read as follows:

For accomplishing the purposes of this Act, said district, through its trustees, is authorized to borrow money temporarily in an amount not to exceed ~~\$1,750,000~~ \$3,000,000, and to issue therefor the interest-bearing negotiable notes of the district, and for the purpose of refunding the indebtedness so created, of paying any necessary expenses and liabilities incurred under this Act, including the expenses incurred in the creation of the district, in reimbursing said town, in acquiring the aforesaid properties, privileges and franchises of the Frontier Water Company and the Fort Fairfield Sewer Company and the individual owners of other private sewers and the Fort Fairfield Light and Power Company, by purchase or otherwise, of securing sources of supply, taking water and land, paying damages, laying pipes, erecting poles and wires, constructing and maintaining and operating a water, sewerage and drainage, and light and power distribution system, and making extensions, additions and improvements to the same, the said district, through its trustees, may from time to time issue bonds of the district to an amount necessary in the judgment of the trustees therefor, maturing at one time or in uniform or varying installments with or without call provisions and at or without any premium.

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

#### STATEMENT OF FACT

The purpose of this bill is reflected in the emergency preamble.