

MAINE STATE LEGISLATURE

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(EMERGENCY)

ONE HUNDRED AND EIGHTH LEGISLATURE

Legislative Document

No. 58

H. P. 41

House of Representatives, January 11, 1977

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

EDWIN H. PERT, Clerk

Presented by Mr. McMahon of Kennebunk.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-SEVEN

AN ACT to Increase the Total Authorized Indebtedness of the Kennebunk Sewer District from \$1,000,000 to \$3,000,000.

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

Whereas, this proposed legislation requires that a referendum approve it before it can take effect; and

Whereas, this referendum is keyed to the Kennebunk town meeting to be held on the 21st day of March, 1977; and

Whereas, unless this Act is enacted before that date, the referendum can only be held by a special election which would result in a considerable financial burden to the Town of Kennebunk; and

Whereas, this Act must therefore take effect as soon as possible; 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P&SL 1955, c. 69, § 16, 3rd sentence, as repealed and replaced by P&SL 1957, c. 8, § 1, is amended to read:

Said district, by resolution of its board of trustees, is for said purposes or any of them also authorized to issue, from time to time, notes, bonds or other evidence of indebtedness of the district, maturing serially or otherwise, in an

amount or amounts, at such rates of interest, and on such terms and conditions as the board of trustees shall determine; provided, however, that the total indebtedness of said district at any one time outstanding shall not exceed the sum of ~~\$1,000,000~~ \$3,000,000; and provided further, that indebtedness of the district shall not be deemed to be outstanding if funds adequate for the payment thereof together with any interest due thereon and premium payable on account thereof, shall have been deposited with the paying agent named in the notes or bonds evidencing such indebtedness in trust for the purpose of making such payment.

Emergency clause; referendum; effective date. In view of the emergency cited in the preamble, this Act shall take effect when approved, only for the purpose of permitting its submission to the legal voters of the Town of Kennebunk, resident in the district, at the next regular town meeting to be held on the 21st day of March, 1977, or at a special town meeting to be called and held for the purpose within 3 months of the approval of this Act. Such special meeting shall be called, advertised and conducted according to the law relating to municipal elections; provided, however, that the selectmen of said town shall not be required to prepare for posting, nor the town clerk to post, a new list of voters, and for the purpose of registration of voters the board of voter registration shall be in session on the secular day next preceding said special election. The town clerk of said town shall prepare the required ballots, on which he shall reduce the subject matter of this Act to the following question:

"Shall 'An Act to increase the total authorized indebtedness of the Kennebunk Sewer District from \$1,000,000 to \$3,000,000,' passed by the 108th Legislature, be accepted?"

And the voters shall indicate by a cross or check mark placed against the words "Yes" or "No," their opinion of the same. This Act shall take effect for all the purposes hereof immediately upon its acceptance by a majority of the legal voters voting at said election; provided that the total number of votes cast for and against the acceptance of this Act equals or exceeds 20% of the total vote for all candidates for Governor cast in said district at the next previous gubernatorial election.

The result of the vote shall be declared by the municipal officers of the Town of Kennebunk and due certificate thereof shall be filed by the town clerk with the Secretary of State.

STATEMENT OF FACT

The purpose of this bill is to increase the total authorized indebtedness of the Kennebunk Sewer District from \$1,000,000 to \$3,000,000.