

# MAINE STATE LEGISLATURE

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ONE HUNDRED AND EIGHTH LEGISLATURE

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**Legislative Document**

**No. 1142**

H. P. 947

House of Representatives, March 22, 1977

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

EDWIN H. PERT, Clerk

Presented by Mr. MacEachern of Lincoln.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-SEVEN

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**AN ACT to Dissolve the Lincoln Sanitary District.**

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

**Sec. 1. Transfer of property and assets.** When and after a majority of the legal voters of the Town of Lincoln have voted for dissolution of the Lincoln Sanitary District, and all outstanding indebtedness of the Lincoln Sanitary District has been discharged, the inhabitants of the Town of Lincoln shall assume the management, control and responsibility of the operation of all facilities of the Lincoln Sanitary District, and all property including treatment plants owned by the Lincoln Sanitary District, and all accounts receivable belonging to the Lincoln Sanitary District, shall become the property of the inhabitants of the Town of Lincoln. The trustees of the Lincoln Sanitary District shall execute such deeds and other instruments of conveyance to the inhabitants of the Town of Lincoln as may be required for such transfer of assets. All obligations existing by virtue of any outstanding contract or contracts between the Lincoln Sanitary District and any 3rd party shall be assumed, and become binding upon, the inhabitants of the Town of Lincoln.

**Sec. 2. Outstanding indebtedness; dissolution.** This Act shall not take effect until all outstanding indebtedness of the Lincoln Sanitary District has been discharged and the municipal officers of the Town of Lincoln and the trustees of the Lincoln Sanitary District shall have certified to the Secretary of State and the Board of Environmental Protection that the Lincoln Sanitary District is free from all outstanding indebtedness. Outstanding indebtedness is defined as bonds or notes for capital outlay purposes issued by the trustees pursuant to the Revised Statutes, Title 38, chapter 11, the Maine Sanitary

District Enabling Act, and all obligations due to the State or any of its several agencies, including, but not limited to, the Department of Environmental Protection. Upon receipt of the certification as to the discharge of outstanding indebtedness as required in this section, and the certification as to the results of the votes cast as required in section 3, the Lincoln Sanitary District shall be dissolved as a legal entity and the same shall be properly noted in the records of the Secretary of State and with the Board of Environmental Protection.

**Sec. 3. Referendum.** This Act shall be submitted to the legal voters of the Town of Lincoln at any regular or special town election or statewide election held before March 31, 1978, and warrants shall be issued for such election in the manner now provided by law for the holding of municipal elections, notifying and warning the qualified voters of this town to vote on the approval or rejection of this Act. The town clerk shall prepare the required ballots, on which he shall reduce the subject matter of this Act to the following question:

"Shall 'An Act to Dissolve the Lincoln Sanitary District,' passed by the First Regular Session of the 108th Legislature, be accepted?"

The voters shall indicate by a cross or check mark placed against the word "yes" or "no" their opinion of the same. This Act shall take effect upon its acceptance by a majority of the legal voters voting in this election and upon compliance with section 2, but in any event no sooner than 90 days after the adjournment of the Legislature enacting this Act. The results of the votes shall be declared by the municipal officers of the Town of Lincoln and due certificate thereof shall be filed by the town clerk with the Secretary of State and the Chairman of the Board of Environmental Protection.

Nothing herein contained shall mandate the submission of the question of dissolution of the Lincoln Sanitary District to the voters without the affirmative vote of a majority of the members of the Lincoln Town Council.

#### STATEMENT OF FACT

The purpose of this Act is to enable the inhabitants of the Town of Lincoln to dissolve the Lincoln Sanitary District.