

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES (Filing No. H-903)  
109TH LEGISLATURE  
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1707, L.D. 1810, Bill, "AN ACT Relating to the Provisions of the Charter of the Brunswick Sewer District."

Amend the bill by inserting before the enacting clause the following:

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

Whereas, it is possible that the town may want to hold the referendum at the same time as the primary election in June; and

Whereas, it is the intent of the Legislature to provide the town with maximum flexibility in scheduling the referendum ;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,'

Further amend the bill by striking <sup>out</sup> everything after the enacting clause and inserting in its place the following:

'Sec. 1. P&SL 1947, c. 77, §1, as repealed and replaced by P&SL 1965, c. 165, §23, is amended by adding at the end the following new paragraph to read:

Upon approval of a majority of the voters of the town by referendum, the entire territory in the Town of Brunswick with the inhabitants therein is created a body politic and corporate by the name of Brunswick Sewer District, hereinafter called the district, for the purpose of providing and maintaining within the district a sewer system and suitable sewers, drains and sewage disposal plants, and with all the rights, privileges and immunities incident to similar corporations, or necessary for the accomplishment of these purposes; provided that nothing contained in the private and special laws of 1947, chapter 77, as amended, shall be construed to vest the district with any duty of providing or maintaining catch basins or drainage of public ways.

Sec. 2. P&SL, 1947, c. 77, §4 is amended by adding at the end the following new sentences to read:

Upon determining the need for laying a new sewer, pipe or aqueduct over 750 feet in length, the Trustees shall cause a public hearing to be held thereon. Notice of the hearing stating in general terms the location, length and estimated cost shall be given by the board by publication once a week for 2 successive weeks in a newspaper of general circulation in the district area at least 7 days before the date set for hearing.

Sec. 3. P&SL 1947, c. 77, §6, next to last sentence, as amended by P&SL 1967, c. 88, is repealed and the following enacted in its place:

The compensation for each trustee shall be \$35 per meeting attended for every duly-called meeting of the trustees.

Sec. 4 . Referendum; emergency/~~clause~~ Section 1 of this Act shall be submitted to the legal voters of the Town of Brunswick at a town meeting to be called and held for the purpose by municipal officials. Warrants shall be issued for this town meeting in the manner now provided by law for the holding of town meetings, notifying the qualified voters of Brunswick to meet to vote on the approval or rejection of section 1 of this Act.

The town clerk of Brunswick shall prepare the required ballots, on which he shall reduce the subject matter of <sup>section 1 of</sup> this Act to the following question:

"Shall the Brunswick Sewer District be expanded to include the entire Town of Brunswick?"

The voters shall indicate by a cross or check mark placed against the words "Yes" or "No" their opinion of the question

The results of the vote in Brunswick shall be declared by the municipal officers of that town and due certificate thereof shall be filed by the town clerk of Brunswick with the Secretary of State.

In view of the emergency cited in the preamble section 1 of this Act shall take effect upon its acceptance by a majority of the legal voters of that town voting at that election; provided that the total number of votes cast for and against the acceptance <sup>section 1 of</sup> of this Act in that town at that election equals or exceeds 15% of the registered voters of the Town of Brunswick.

Statement of Fact

This amendment adds a requirement for public hearing on sewer extensions, and a requirement for referendum on the expansion of the boundary of the sewer district.

Reported by the Committee on Public Utilities  
Reproduced and distributed under the direction of the Clerk of the  
House  
3/13/80 (Filing No. H-903)