

MAINE STATE LEGISLATURE

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(EMERGENCY)
SECOND REGULAR SESSION

ONE HUNDRED AND NINTH LEGISLATURE

Legislative Document

No. 1948

H. P. 1820

House of Representatives, February 12, 1980

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

EDWIN H. PERT, Clerk of the House

Presented by Mr. Norris of Brewer.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY

AN ACT Increasing the Indebtedness of Veazie Sewer District and Amending the Charter of Veazie Sewer District.

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

Whereas, the Veazie Sewer District may not be able to complete its arrangements for financing its sewage treatment facility unless its authorized indebtedness is increased; and

Whereas, certain provisions of the Private and Special Laws, 1951, chapter 114, being the charter which created Veazie Sewer District, are inadequate for said district to properly carry out its functions; 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:

Sec. 1. P&SL 1951, c. 114, § 1, 2nd sentence, is repealed and the following enacted in its place:

The purpose of said district shall be to take over, control, manage and operate the

sewers now owned by the Town of Veazie with all appurtenances thereto; to extend, increase, enlarge and improve said drains and sewers; to extend the present system or systems so as to furnish sewerage facilities to portions of the town not now served with such facilities; to provide for removal of sewerage; to discharge sewerage and surface drainage into the Penobscot River at points most reasonable and convenient for said district; to provide for treatment of sewerage in whole or in part before discharging it into said river when, as and if such treatment becomes necessary; and generally to provide a system of sanitary sewerage drainage for public purposes and for the health, comfort and convenience of the inhabitants of said district; provided that nothing contained herein shall be construed so as to vest the district with any duty of providing surface or storm water drainage.

Sec. 2. P&SL 1951, c. 114, § 2, 2nd sentence, is repealed and the following enacted in its place:

For the purpose of providing a system of sewers and drainage for the comfort, convenience and health of the inhabitants of said district, the said district is hereby authorized and empowered to acquire and hold real estate and personal estate necessary and convenient for the purposes aforesaid, and to sell, transfer or otherwise convey said real and personal estate, subject to all duties and obligations of the Town of Veazie with respect thereto, which duties and obligations are to be assumed by said district.

Sec. 3. P&SL 1951, c. 114, § 8, 1st sentence, as last amended by P&SL, 1971, c. 31, is repealed and the following enacted in its place:

To procure funds for the purpose of this Act, and for such other expenses as may be necessary to carry out said purposes, the said district, by its trustees, is hereby authorized from time to time to borrow money and to issue its bonds and notes therefor, but shall not incur a total indebtedness exceeding the sum of \$500,000 at any one time outstanding.

Sec. 4. P&SL 1951, c. 114, § 13, 1st sentence, is repealed and the following enacted in its place:

After the meeting for acceptance of this charter, the trustees shall have the same powers and perform the same duties as otherwise are exercised and performed by the selectmen of towns in correcting and preparing lists of the persons qualified to vote in said district, and for that purpose they may utilize the list as compiled by the town clerk or registrar of voters of the legal voters in the Town of Veazie and additionally for that purpose the trustees shall be in session at the office of the said sewer district between the hours of 10 o'clock in the forenoon and 12 o'clock noon of the day of every meeting; and one hour next before the opening of the meeting; and notice thereof shall be given in the call for the meeting.

Sec. 5. Emergency clause; effective date; referendum. In view of the emergency cited in the preamble, this Act shall take effect when approved, except with respect to section 3, which shall take effect when approved only for the

purpose of permitting its submission to the legal voters of the district at the special election and elections called and held for the purpose.

The board of selectmen of the Town of Veazie shall call said election, to be held upon a date to be specified in writing by them. The registrar of voters shall make and provide a separate checklist for such of the voters within said district as are then legal voters therein, and all warrants issued to said district shall be varied accordingly to show that only such voters therein are entitled to vote thereon. Such election shall be called, advertised and conducted according to the law relating to municipal elections; providing, however, that the registrar of voters shall not be required to prepare nor the town clerk to pose a new checklist of voters, and for this purpose said registrar of voters shall be in session the 2 secular days next preceding such election, the first day thereof to be devoted to the registration of voters and the last day to enable the registrar of voters to verify the corrections of said list and to complete and close up the records of said sessions. The town clerk shall reduce the subject matter of this Act to the following question: "Shall the Indebtedness of the Veazie Sewer District be Increased and shall the Charter of the Veazie Sewer District be amended?"

The voters shall indicate by depositing a ballot in the ballot box with the word "Yes" or "No" on the same, their opinion of the same. This Act shall take effect for all the purposes herein 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 number of voters on said checklist. The result shall be declared in open meeting and due certificate thereof filed by the town clerk with the Secretary of State. Twenty percent of the qualified voters of said district shall constitute a quorum for the purposes of this election, but less number may adjourn from time to time not exceeding 7 days at one time.

STATEMENT OF FACT

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