

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND TENTH LEGISLATURE

Legislative Document

No. 535

H. P. 479

House of Representatives, January 29, 1981

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

EDWIN H. PERT, Clerk

Presented by Representative Davis of Monmouth.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY-ONE

AN ACT to Adjust the Fiscal Year of the Cobbossee Watershed District.

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

Sec. 1. P&SL 1971, c. 95, § 13, as amended by P&SL 1973, c. 189, §§ 3 and 4, is repealed and the following enacted in its place:

Sec. 13. Financing. The trustees of the district shall annually, before May 1st of each year, determine the sum required each year to meet the bonds falling due and what further sum is necessary to meet the interest on the bonds or other obligations and all other expenses necessary for the operation of the district, including temporary loans. Before June 1st of each year, the trustees shall hold a district budget meeting. At this meeting the budget shall be thoroughly explained and the voters of the district shall be given an opportunity to be heard. A budget must be approved by the voters of the district at the district budget meeting. At the district budget meeting, only those items dealing with the expenses necessary to operate the district, appropriations for a reserve fund and capital outlay appropriations shall be subject to change by the voters. If a budget for the operation of the district is not approved prior to July 1st in any given year, the budget as submitted by the trustees for operational expenses, reserve fund and capital outlay purposes shall be automatically considered the budget approved for operational expenses in the ensuing year, and the other amount submitted for payment of bonds falling due and interest thereon, including temporary loans for capital purposes shall be added together and the total amount assessed as follows:

The trustees shall thereupon issue their warrants, in substantially the same form as the warrant of the Treasurer of State for taxes, to each municipality in the district requiring them to pay their proportionate share of the budgeted expenses of the district. The proportionate share of each municipality shall be that proportion which the valuation of the area of land and buildings in the municipality located within 600 feet of the shore of the major lakes, ponds and waterways of the watershed within the municipality bears to the total valuation of the area in all the municipalities in the district as determined by the trustees. For the purposes of this section, the major lakes, ponds and waterways of the watershed shall be considered to be Torsey Pond, Lake Annabessacook, Lake Maranacook, Lake Cobbosseecontee, Pleasant Pond, Berry Pond, Dexter Pond, Cochnewagon Pond, Narrows Ponds, Little Cobbossee Pond, Wilson Pond and Cobbosseecontee Stream down to 100 feet below the New Mills Dam, so called. Each municipality shall pay its proportionate share of the budgeted expenses based upon the aforesaid ratio. In the year in which the assessment is so levied, the treasurer of each municipality shall pay the amount of the assessment so levied in 3 equal installments to the treasurer of the district. The first installment shall be paid on or before August 1st, the 2nd installment shall be paid on or before December 1st and the 3rd installment on or before March 31st. The trustees of the district shall initially and from time to time, but at least every 10 years, ascertain the valuation assigned to each municipality by determining the fair value of the land and buildings in the designated areas of each municipality in the district. In making that determination, the trustees may consider the local assessed valuation of such properties as affected by the factor used to determine equalized valuation for the purposes of the Revised Statutes, Title 36, section 381 and such other information as they deem relevant. They shall thereforeupon publish a notice that the determination has been made and is available at the office of the clerk of the district. Any person aggrieved may within 30 days of the publication of the notice or the issue of the district's warrant, whichever shall first occur, appear to the superior Court for review thereof.

Any water district benefiting from the services of this district shall have the right to contribute funds to this district as a utility operating expense.

Nothing in this section requires the inclusion in a budget of a capital expenditure to be paid from the proceeds of bonds or notes issued or to be issued by the district.

Sec. 2. Effective date. The effective date of this Act shall be April 1, 1982.

STATEMENT OF FACT

The purpose of this bill is to adjust the fiscal year of the Cobbossee Watershed District to correspond to the fiscal years of the majority of its member municipalities.