

# MAINE STATE LEGISLATURE

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1 (New Draft of H.P. 1534, L.D. 2010)

2 SECOND REGULAR SESSION  
3

4 ONE HUNDRED AND ELEVENTH LEGISLATURE  
5

6 Legislative Document

No. 2290

7  
8 H.P. 1738

House of Representatives, March 19, 1984

9 Reported by Representative Roderick from the Committee on Public  
10 Utilities and printed under Joint Rule 2.

11 Original bill presented by Representative Higgins of Scarborough.  
Cosponsored by Representative Vose of Eastport.

EDWIN H. PERT, Clerk

12  
13 STATE OF MAINE  
14

15 IN THE YEAR OF OUR LORD  
16 NINETEEN HUNDRED AND EIGHTY-FOUR  
17

18 AN ACT Relating to the Issuance of Bonds  
19 by Sanitary Districts.  
20

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

23 38 MRSA §1201, sub-§10, as enacted by PL 1981, c.  
24 466, §§11 and 14, is repealed and the following en-  
25 acted in its place:

26 10. Certain bond issues; notice; special meet-  
27 ing; vote. In the event that the trustees vote to au-  
28 thorize bonds or notes, for any of the corporate pur-  
29 poses of a sanitary district, excluding notes payable  
30 within one year, notes in anticipation of bonds au-  
31 thorized pursuant to this section, or notes in antic-  
32 ipation of the revenues to be collected or received  
33 in any year or notes in anticipation of the receipt  
34 of approved federal or state grants, the authorized  
35 amount of which, singly or in the aggregate included

1 in any one financing, is \$150,000 or more, the trust-  
2 ees shall call a special district meeting for the  
3 purpose of permitting the collection of testimony  
4 from the public concerning the purpose and the amount  
5 of debt so authorized. Notice of the special dis-  
6 trict meeting, stating the approximate amount of the  
7 debt and the purpose for which it is being issued,  
8 shall be published not less than 7 full days prior to  
9 the date of the meeting in a newspaper having general  
10 circulation in the district and shall be mailed to  
11 each ratepayer in the district not later than the  
12 date of the publication. No debt may be incurred un-  
13 der the vote of the trustees until the expiration of  
14 7 full days following the date of the special dis-  
15 trict meeting.

16 Except for debt to fund that part of any project  
17 which has been approved for grant financing by the  
18 State Government or Federal Government to meet the  
19 requirements of the United States Clean Water Act,  
20 United States Code, Title 33, Section 1251 et seq.,  
21 including any related facilities not eligible for  
22 that financing but essential to the operation of the  
23 approved project as an integral system, for debts in  
24 excess of the amount specified in this section, the  
25 following petition and referendum procedure shall ap-  
26 ply. If, on or before the 7th day following the date  
27 of the special district meeting a petition signed by  
28 at least 5%, but not less than 50, of the registered  
29 voters of the district is filed with the clerk of the  
30 district requesting reference of the vote of the  
31 trustees to referendum, the clerk of the district  
32 shall call and hold a special election of the voters  
33 of the district for the purpose of submitting to ref-  
34 erendum vote a question of approving the vote of the  
35 trustees. The vote of the trustees shall be sus-  
36 pended until it has received approval by vote of a  
37 majority of the voters of the district voting on the  
38 question at the special election.

39 STATEMENT OF FACT

40 This new draft exempts notes in anticipation of  
41 the receipt of approved federal or state grants from  
42 the general notice provisions of the Sanitary Dis-  
43 trict Enabling Act. It also exempts projects from

1 the voter initiated referendum provision, to the ex-  
2 tent approved for funding by the State Government or  
3 the Federal Government to meet the requirements of  
4 the United States Clean Water Act. Water district law  
5 contains such an exemption.

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