

MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION
2

3 ONE HUNDRED AND TWELFTH LEGISLATURE
4

5 Legislative Document

No. 922

6
7 H.P. 652

House of Representatives, March 5, 1985

8 Reference to the Committee on Utilities suggested and ordered printed.

9 EDWIN H. PERT, Clerk

10 Presented by Representative Manning of Portland.

11
12 STATE OF MAINE
13

14 IN THE YEAR OF OUR LORD
15 NINETEEN HUNDRED AND EIGHTY-FIVE
16

17 AN ACT to Amend the Charter of the Portland
18 Water District.
19

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

22 Sec. 1. P&SL 1907, c. 433, §12, first ¶, as re-
23 pealed and replaced by P&SL 1977, c. 48, §5, is
24 amended to read:

25 Section 12. Determination of annual sewer
26 costs. The Through calendar year 1987, the fiscal
27 year of the district for the waste water and sewage
28 operations shall be the calendar year, and the trust-
29 ees shall, prior to January 15th of each year, deter-
30 mine the total anticipated amount to be raised from
31 the participating municipalities based on the trust-
32 ees' best estimate to provide for the operation of
33 the waste water and sewage system for that fiscal
34 year and such amount shall be apportioned as provided
35 in section 13. Notwithstanding anything in this sec-
36 tion to the contrary, the City of Portland's waste

1 water assessment portion of the total amount to be
2 raised, and any subsequent adjustments to that
3 amount, shall be determined by and voted upon solely
4 by the trustees residing in and elected by voters of
5 that city. The amounts so apportioned for each mu-
6 nicipality shall forthwith be certified by the trust-
7 ees to the appropriate municipal officials of each
8 participating municipality. In the event that the
9 amount apportioned and certified as herein provided
10 shall by reason of erroneous estimates or otherwise
11 be insufficient to provide for the operation of the
12 waste water and sewage system for the remainder of a
13 fiscal year, as shown by the budget or amended budget
14 of the district, any additional amount required for
15 such operation may be apportioned and certified as
16 herein provided and the amounts thereafter paid to
17 the district by the participating municipalities af-
18 fected may, at the option of the respective munici-
19 palities assessed, be adjusted so as to result in the
20 payment over the remainder of the year of the addi-
21 tional amount so certified. No such additional
22 amount shall be certified after October 1st in any
23 year. The assessors of the respective participating
24 municipalities shall without further vote include the
25 amount so certified in those amounts to be raised in
26 the subject calendar year by municipal tax or assess-
27 ment or in the case of a supplemental certification
28 to the extent if any that the same is not paid from
29 funds otherwise available, in the first levy of mu-
30 nicipal tax or assessment thereafter made. The re-
31 spective city or town treasurers shall pay the amount
32 so certified to the treasurer of the district in sub-
33 stantially equal monthly installments with the first
34 monthly installment to be payable in January after
35 receipt of such certification.

36 Sec. 2. P&SL 1907, c. 433, §12, as repealed and
37 replaced by P&SL 1977, c. 48, §5, is amended by add-
38 ing after the first paragraph a new paragraph to
39 read:

40 Transition 6-month fiscal year; new fiscal year.
41 Effective January 1, 1987, the trustees shall set the
42 budget as provided in this section for January 1,
43 1987, through June 30, 1987. Effective July 1, 1987,
44 and thereafter, the district's annual fiscal year
45 shall be July 1st through June 30th. The trustees

1 shall, prior to April 1, 1987, and April 1st of each
2 fiscal year thereafter, determine the anticipated
3 amount to be raised in the upcoming fiscal year in
4 the same manner as provided in this section, except
5 that the amounts so apportioned for each municipality
6 shall be certified by the trustees prior to May 1,
7 1987, and each May 1st thereafter.

8 STATEMENT OF FACT

9 This bill amends the charter of the Portland Wa-
10 ter District to change the present fiscal year, which
11 is the calendar year, to a July 1st to June 30th,
12 fiscal year beginning July 1, 1987. A transition
13 6-month fiscal year is established to effectuate the
14 change from the January 1st to the July 1st, start
15 date. This new fiscal year brings the district's
16 budgeting in line with that of the State and of the
17 majority of the member municipalities.

18 The bill provides that only Portland elected
19 trustees set Portland's waste water assessment. This
20 assessment is a separate budget item and it is paid
21 solely by Portland ratepayers; hence, only the Port-
22 land representatives should vote on that amount.

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