

MAINE STATE LEGISLATURE

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1 (EMERGENCY)
2 SECOND REGULAR SESSION
3

4 ONE HUNDRED AND TWELFTH LEGISLATURE
5

6 Legislative Document

No. 1721

8 H.P. 1214

House of Representatives, December 23, 1985

9 Approved for introduction by a majority of the Legislative Council
10 pursuant to Joint Rule 26.

11 Received by the Clerk of the House on December 23, 1985. Referred to
the Committee on Utilities and 1,600 ordered printed pursuant to Joint Rule
14.

EDWIN H. PERT, Clerk

12 Presented by Representative Rolde of York.

13 STATE OF MAINE
14

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

18 AN ACT to Amend the Charter of the York Water
19 District.
20

21 Emergency preamble. Whereas, Acts of the Legis-
22 lature do not become effective until 90 days after
23 adjournment unless enacted as emergencies; and

24 Whereas, the present water system of the York Wa-
25 ter District is inadequate to serve the rapidly grow-
26 ing needs of its customers and certain capital im-
27 provements are immediately necessary to meet the de-
28 mand; and

29 Whereas, in the judgment of the Legislature,
30 these facts create an emergency within the meaning of
31 the Constitution of Maine and require the following
32 legislation as immediately necessary for the preser-
33 vation of the public peace, health and safety; now,
34 therefore,

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

3 P&SL 1967, c. 122, §14-A is enacted to read:

4 Sec. 14-A. System development charge. In addition to the provisions of section 14, the governing
5 body of a municipal water department or quasi-municipal water district may establish and file, pursuant
6 to the Maine Revised Statutes, Title 35, section 69 or section 72, a system development charge which is
7 just and reasonable to provide funds to finance capital outlays for water system expansion caused by an
8 increase in demand for service. The funds generated by the system development charge shall be deposited
9 into a special account of the municipal water department or quasi-municipal water district dedicated to
10 finance capital outlays for water system expansion caused by an increase in demand for service. The
11 funds from the special account shall be used only for the purpose of financing the expansion of the system
12 and shall not be used for the repair or replacement of existing facilities unless the replacement is re-
13 quired as a result of increased demand for service. The system development charge shall not be treated as
14 income of the municipal water department or quasi-municipal water district nor shall it be considered
15 part of the rates established and filed pursuant to section 14. The system development charge may be as-
16 essed upon all customers of the municipal water department or quasi-municipal water district that re-
17 quire new connections to the water system, excluding fire service, as of or after the effective date of
18 this section and upon all existing customers of the municipal water department or quasi-municipal water
19 district who expand their demand for water service as of or after the effective date of this section.
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36 Emergency clause. In view of the emergency cited
37 in the preamble, this Act shall take effect when ap-
38 proved.

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STATEMENT OF FACT

2 Recent and dramatic increases in population with-
3 in the York Water District have placed substantial
4 constraints on the current water system and compel
5 the expansion of existing facilities. The current wa-
6 ter rates do not provide funds for future capital im-
7 provements to the water system. This bill clarifies
8 that the board of trustees of the district may estab-
9 lish a system-wide charge to finance the costs of
10 district expansion and development. The charge will
11 permit the payment of development costs in an equita-
12 ble manner and shall promote rate fairness among dis-
13 trict customers.

14 This bill shall be regarded as supplemental and
15 additional to powers conferred by other laws and
16 shall not be regarded as in derogation of any powers
17 now existing.

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