

MAINE STATE LEGISLATURE

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(Emergency)
(After Deadline)
FIRST REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

No. 1143

S.P. 378 In Senate, April 8, 1987
Approved for Introduction by a Majority of the Legislative
Council pursuant to Joint Rule 27.

Reference to the Committee on State and Local Government
suggested and ordered printed.

JOY J. O'BRIEN, Secretary of the Senate

Presented by Senator PEARSON of Penobscot.
Cosponsored by Representative HICHBORN of LaGrange.

STATE OF MAINE

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

1 AN ACT Relating to the Debt Limits which may
2 be incurred by a Municipality for
3 Water Purposes.
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5 Emergency preamble. Whereas, Acts of the Legis-
6 lature do not become effective until 90 days after
7 adjournment unless enacted as emergencies; and

8 Whereas, the Maine Revised Statutes, Title 30,
9 section 5061, may be interpreted to impose a limit of
10 3% of full state valuation on the power of municipal-
11 ities to incur debt for water purposes; and

12 Whereas, it appears that the limitation is so low
13 as to prevent otherwise unencumbered municipalities

1 from providing for the needs of their residents to
2 secure municipal water supplies; and

3 Whereas, flood damage caused by recent rainstorms
4 of unprecedented size has made emergency repair and
5 rebuilding of certain systems immediately necessary;
6 and

7 Whereas, in the judgment of the Legislature,
8 these facts create an emergency within the meaning of
9 the Constitution of Maine and require the following
10 legislation as immediately necessary for the preser-
11 vation of the public peace, health and safety; now,
12 therefore,

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

15 30 MRSA §5061, first ¶, as amended by PL 1981, c.
16 322, §9, is further amended to read:

17 No municipality shall ~~may~~ incur debt which would
18 cause its total debt outstanding at any time, exclu-
19 sive of debt incurred for school purposes, for storm
20 or sanitary sewer purposes, for energy facility pur-
21 poses or for municipal airport purposes to exceed
22 7 1/2% of its last full state valuation. A munici-
23 pality may incur debt for school purposes to an
24 amount outstanding at any time not exceeding 10% of
25 its last full state valuation, for storm or sanitary
26 sewer purposes to an amount outstanding at any time
27 not exceeding 7 1/2% of its last full state valua-
28 tion, and for municipal airport, ~~water~~ and special
29 district purposes to an amount ~~oustanding~~ outstanding
30 at any time not exceeding 3% of its last full state
31 valuation; provided, however, that in no event shall
32 may any municipality incur debt which would cause its
33 total debt outstanding at any time to exceed 15% of
34 its last full state valuation.

35 **Emergency clause.** In view of the emergency cited
36 in the preamble, this Act shall take effect when ap-
37 proved.

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STATEMENT OF FACT

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This bill amends the present law to clarify the fact that debt incurred by a municipality for water purposes is subject to the standard limitation of 7 1/2% of the municipality's last full state valuation, as is the case regarding sewer and most other purposes for which a municipality may incur debt.

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