

MAINE STATE LEGISLATURE

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L.D. 978
(Filing No. S-132)

STATE OF MAINE
SENATE
114TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 361, L.D. 978, Bill, "An Act to Amend the Charter of the Sewer District of the Town of Kennebunk"

Amend the bill by striking out the title and inserting in its place the following:

'An Act to Amend the Charters of the Sewer District of the Town of Kennebunk and the York Sewer District'

Further amend the bill by inserting at the beginning of the first line after the enacting clause (page 1, line 3 in L.D.) the following: 'Sec. 1.'

Further amend the bill by inserting before the statement of fact the following:

'Sec. 2. P&SL 1985, c. 57, §13 is amended to read:

Sec. 13. Rates and other charges. All persons, firms and corporations, whether public, private or municipal, shall pay to the treasurer of the district the rates, tolls, rents, entrance charges, impact fees and other lawful charges established by the trustees for the sewer service used or available to them, which rates shall include rates for the district's readiness to serve charged against the owners of real estate, abutting on or accessible to sewers of that district, but not actually connected to those sewers, whether or not the real estate is improved. The words "other lawful charges" or "other charges" shall include, but not be limited to, interest on delinquent accounts at a rate not to exceed the highest lawful rate set by the Treasurer of State for municipal taxes.

Rates, tolls, rents and entrance charges and impact fees shall be uniform within the territory supplied by the district whenever the installation and maintenance of sewers or their appurtenances and the cost of service is substantially uniform; but nothing in this Act may preclude the district from

1 establishing a higher rate, toll, rent or an entrance charge or
3 impact fee than the regular rates, tolls, rents and an entrance
5 charges or impact fees in sections where, for any reason, the
7 cost of construction and maintenance or the cost of service
exceeds the average, but these higher rates, tolls, rents and an
charges and impact fees shall be uniform throughout the sections
where they apply.

9 The sewer rates, tolls, rents and an entrance charges and
11 impact fees shall be so established as to provide revenue for the
following purposes:

13 1. To pay the current expenses for operating and
15 maintaining the sewerage and treatment system;

17 2. To provide for the payment of the interest and principal
on the indebtedness created by the district;

19 3. To provide each year a sum equal to not less than 1% nor
21 more than 5% of the entire indebtedness created by the district,
23 which sum shall be turned into a sinking fund and there kept to
25 provide for the extinguishment of the indebtedness. Money set
aside for the sinking fund shall be devoted to the retirement of
the obligations of the sewer district or invested in such
securities as savings banks in this State are allowed to hold; and

27 4. If any surplus remains at the end of the year, it may be
29 turned into the sinking fund; and

31 5. Impact fees shall be established to provide all or part
33 of the revenues necessary for improving, enlarging or expanding
the district's system, including interest accruing or
indebtedness incurred for such purposes.

35 Prior to the adoption of a new rate schedule, the trustees
37 shall hold a public hearing regarding the proposed rate
39 schedule. The trustees shall publish the proposed rates and
41 notice of the hearing not less than once in a newspaper having a
43 general circulation in the district not less than 7 days prior to
the hearing. The district shall mail to each ratepayer a notice
of the public hearing and the proposed new rate at least 14 days
prior to the hearing.'

45 **STATEMENT OF FACT**

47 This amendment includes the York Sewer District in the bill
49 to allow the district to assess impact fees.