



116th MAINE LEGISLATURE

FIRST REGULAR SESSION-1993

Legislative Document

No. 15

H.P. 8

House of Representatives, January 4, 1993

Reference to the Committee on Utilities suggested and ordered printed.

JOSEPH W. MAYO, Clerk

Presented by Representative FARNUM of South Berwick. Cosponsored by Representative MURPHY of Berwick, Senator CARPENTER of York and Representative CARR of Sanford.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND NINETY-THREE

An Act to Increase the Debt Limit of the South Berwick Sewer District.

(EMERGENCY)

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Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

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Whereas, disposal and treatment of sewage is essential to the health and well-being of the inhabitants of the Town of South Berwick; and

Whereas, changes in the debt limit of the South Berwick Sewer District are necessary in order to begin construction on a required secondary treatment plant; and

Whereas, in accordance with the law relating to municipal elections, a special referendum election of the South Berwick Sewer District was duly called and held on August 27, 1992; and

Whereas, a majority of legal voters of the South Berwick Sewer District voted in favor of increasing the debt limit of the district to \$7,500,000 at the special referendum election; and

Whereas, the results of the election have been declared by the municipal officers of the Town of South Berwick and due certificate thereof has been filed by the town clerk with the Secretary of State; and

26 Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of 28 Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and 30 safety; now, therefore,

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

Sec. 1. P&SL 1963, c. 226, §16, 3rd sentence, as amended by P&SL 1987, c. 99, §1, is further amended to read:

The total outstanding indebtedness of said <u>the</u> district, at any one time, shall <u>may</u> not exceed the sum of \$3,000,000 <u>\$7,500,000</u>.

Emergency clause. In view of the emergency cited in the preamble, this Act takes effect when approved.

STATEMENT OF FACT

46 The South Berwick Sewer District has a present debt limit of \$3,000,000, established by private and special law. The present 48 treatment system is a primary treatment facility. The Federal Clean Water Act requires a secondary treatment facility. The mandates of the 50 district is under federal Environmental

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Protection Agency and the Department of Environmental Protection to construct a facility to meet those requirements. The estimated cost of this facility exceeds the present debt limit. There are no known federal or state grants available to assist the district in this funding effort and accordingly the district must fund the facility through local bond issues to be repaid through user fees. This bill allows the district to obtain such funding.

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