

# MAINE STATE LEGISLATURE

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# 116th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1993

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Legislative Document

No. 353

H.P. 275

House of Representatives, February 8, 1993

**An Act to Amend the Charter of the North Berwick Water District.**

(EMERGENCY)

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Reference to the Committee on Utilities suggested and ordered printed.

A handwritten signature in cursive script that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative FARNUM of South Berwick.  
Cosponsored by Representatives: CARON of Biddeford, DUTREMBLE of Biddeford,  
MARSHALL of Eliot, MURPHY of Berwick, TARDY of Palmyra, Senator: CARPENTER of  
York.

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

Whereas, water is essential to the health and well-being of the inhabitants of the Town of North Berwick; and

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

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

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

**Sec. 1. P&SL 1981, c. 54, §9, 2nd sentence, as amended by P&SL 1983, c. 26, §3, is further amended to read:**

The district by vote of its board of trustees, without district vote except as provided, is also authorized to issue, from time to time, bonds, notes or other evidences of indebtedness of the district in the amount or amounts, not exceeding the sum of \$1,500,000 \$3,000,000 outstanding at any one time, except for indebtedness to fund projects specifically mandated by the State Government or Federal Government, bearing interest at such rate or rates, and having such terms and provisions as the trustees shall determine; ~~provided that~~ as long as, except for not in excess of \$800,000 principal amount of notes and bonds at any one time outstanding to be issued by vote of the trustees without district vote for the purpose of acquiring properties of the North Berwick Water Company and making certain improvements, and for the purpose of acquiring a new water supply and making further improvements, in the case of any other votes by the trustees to authorize bonds or notes to pay for the acquisition of property, for the cost of a water system or part thereof, for renewal or additions or for other improvements in the nature of capital costs, the estimated cost of which, singly or in the aggregate included in any one financing is \$150,000 or more, or for renewing or refunding existing indebtedness, notice of the proposed debt and of the general purpose or purposes for which it was authorized shall ~~shall~~ must be given by the clerk by publication at least once in a newspaper having a general circulation in the Town of North Berwick.

**Sec. 2. Emergency clause; referendum; effective date.** In view of the emergency cited in the preamble, this Act takes effect when approved, except that the increase of the total indebtedness from \$1,500,000 to \$3,000,000 takes effect only for the

2 purpose of permitting its submission to the legal voters of the  
North Berwick Water District, resident in the district, at the  
4 next regular town or at a special town meeting to be called and  
held for the purpose by December 31, 1993. The election must be  
6 called, advertised and conducted according to the law related to  
municipal elections; provided, however, that the municipal  
8 officers of the town are not required to prepare for posting, nor  
the town clerk to post, a new list of voters and, for the purpose  
of registration of voters, the board of voter registration must  
10 be in session on the secular day next preceding the special  
election. The town clerk of the town shall prepare the required  
12 ballots, on which the town clerk shall reduce the subject matter  
of this Act to the following question:

14 "Shall the charter that created the North Berwick Water  
16 District be amended to increase the total authorized  
indebtedness of the district from \$1,500,000 to \$3,000,000?"

18 The voters shall indicate by a cross or check mark placed  
20 against the words "Yes" or "No" their opinion of the same. This  
Act takes effect immediately upon its acceptance by a majority of  
22 the legal voters voting at the election.

24 The result of the vote must be declared by the municipal  
officers of the Town of North Berwick and due certificate thereof  
26 must be filed by the town clerk with the Secretary of State.

28 **STATEMENT OF FACT**

30 This bill amends the charter of the North Berwick Water  
32 District by increasing the total amount of allowable indebtedness  
from \$1,500,000 to \$3,000,000.