

MAINE STATE LEGISLATURE

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UTILITIES AND ENERGY

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
117TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 29, L.D. 23, Bill, "An Act to Remove the Debt Limit on the West Paris Water District"

Amend the bill by striking out the title and substituting the following:

'An Act to Increase the Debt Limit of the West Paris Water District'

Further amend the bill by striking out everything after the title and before the statement of fact and inserting in its place the following:

'Mandate preamble. This measure requires one or more local units of government to expand or modify activities so as to necessitate additional expenditures from local revenues but does not provide funding for at least 90% of those expenditures. Pursuant to the Constitution of Maine, Article IX, Section 21, two thirds of all of the members elected to each House have determined it necessary to enact this measure.

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

Whereas, the West Paris Water District needs to incur debt greater than that allowed under its current charter as soon as possible in order to finance certain necessary capital improvements to ensure the adequate supply of safe water for the people served by the district; and

COMMITTEE AMENDMENT

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

7
8 **Be it enacted by the People of the State of Maine as follows:**

9
10 **Sec. 1. P&SL 1963, c. 83, §10, first ¶ is amended to read:**

11 For accomplishing the purposes of this act, and for such
12 other expenses as may be necessary for the carrying out of said
13 these purposes, said the district, through its trustees, without
14 vote of the inhabitants, is authorized to borrow money
15 temporarily and to issue therefor its negotiable notes; and for
16 the purpose of renewing and refunding the indebtedness so
17 created, of paying any necessary expenses and liabilities
18 incurred under the provisions of this act, including
19 organizational and other necessary expenses and liabilities
20 whether incurred by the district or the Town of West Paris, the
21 district being authorized to reimburse said the Town of West
22 Paris for any such expense incurred by it and in acquiring
23 properties, paying damages, laying pipes, mains, aqueducts and
24 conduits, constructing, maintaining and operating a water plant
25 or system and making renewals, additions, extensions and
26 improvements to the same and to cover interest payments during
27 the period of construction, said the district, through its
28 trustees, without the vote of its inhabitants, is also authorized
29 to issue, from time to time, bonds, notes or other evidences of
30 indebtedness of the district in one series, or in separate
31 series, in such amount or amounts, bearing interest at such rate
32 or rates, and having such terms and provisions as the trustees
33 shall determine; provided the total outstanding indebtedness of
34 the said district shall may not exceed ~~the sum of~~ \$300,000
35 \$1,000,000 at any one time outstanding.

36
37 **Sec. 2. Emergency clause; referendum; effective date.** In view of
38 the emergency cited in the preamble, this Act takes effect when
39 approved only for the purpose of permitting its submission to the
40 legal voters within the West Paris Water District at a special or
41 regular town meeting or election held prior to December 31,
42 1995. The election must be called, advertised and conducted
43 according to the law relating to municipal elections, except that
44 the registrar of voters is not required to prepare or the town
45 clerk to post a new list of voters. The registrar of voters must
46 be in session on the secular day next preceding the election.
47 The town clerk of the town shall prepare the required ballots, on
48 which the town clerk shall reduce the subject matter of this Act
to the following question:

2 "Do you favor increasing the debt limit of the West Paris
Water District from \$300,000 to \$1,000,000?"

4
6 The voters shall indicate by a cross or check mark placed
against the words "Yes" or "No" their opinion on the question.

8 The results must be declared by the municipal officers of
10 the Town of West Paris and due certificate of the results filed
by the town clerk with the Secretary of State.

12 This Act takes effect immediately upon its acceptance by a
majority of the legal voters voting at the election.'

14
16 Further amend the bill by inserting at the end before the
statement of fact the following:

18 **FISCAL NOTE**

20 This bill requires the West Paris Water District to hold a
22 public referendum. The additional costs of this state mandate
are likely to be relatively minor. Pursuant to the Mandate
24 Preamble, the two-thirds vote of all members elected to each
House exempts the State from the constitutional requirement to
26 fund 90% of the additional local costs.'

28 **STATEMENT OF FACT**

30 This amendment strikes and replaces the bill and amends the
title to reflect the changes made. The bill removed the debt
32 limit of the West Paris Water District. This amendment increases
the debt limit from \$300,000 to \$1,000,000. The amendment also
34 adds a mandate preamble, an emergency preamble, an emergency
referendum clause and a fiscal note to the bill.