

MAINE STATE LEGISLATURE

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117th MAINE LEGISLATURE

FIRST REGULAR SESSION-1995

Legislative Document

No. 71

S.P. 41

In Senate, January 17, 1995

An Act to Amend the Charter of the Port Clyde Water District.

(EMERGENCY)

Reference to the Committee on Utilities and Energy suggested and ordered printed.

A handwritten signature in cursive script that reads "May M. Ross".

MAY M. ROSS
Secretary of the Senate

Presented by Senator PINGREE of Knox.
Cosponsored by Representative: SIMONEAU of Thomaston.

2 **Mandate preamble.** This measure requires one or more local
units of government to expand or modify activities so as to
4 necessitate additional expenditures from local revenues but does
not provide funding for at least 90% of those expenditures.
6 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.

8
10 **Emergency preamble.** Whereas, Acts of the Legislature do not
become effective until 90 days after adjournment unless enacted
as emergencies; and

12
14 **Whereas,** it has been determined that the Port Clyde Water
District's borrowing capacity is inadequate to improve the
16 facility that serves the Village of Port Clyde in the Town of St.
George; and

18 **Whereas,** the Port Clyde Water District must take action as
soon as possible to begin construction on its water tank; and

20
22 **Whereas,** in the judgment of the Legislature, these facts
create an emergency within the meaning of the Constitution of
24 Maine and require the following legislation as immediately
necessary for the preservation of the public peace, health and
26 safety; now, therefore,

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

28 **Sec. 1. P&SL 1963, c. 38, §8, first sentence** is amended to read:

30
32 For accomplishing the purposes of this act, said the district,
through its trustees, is authorized to borrow money from time to
34 time, not exceeding \$100,000 ~~\$250,000~~, and to issue therefor the
interest-bearing negotiable notes of the district, maturing
36 serially or otherwise, and to make subsequent renewals of the
same in whole or in part, and for said these purposes and for the
38 purpose of refunding any notes, bonds or other lawful
indebtedness and to establish a fund therefor, of obtaining or
40 providing money to pay or to meet any necessary expenses and
liabilities under the provisions of this act, including expenses
42 in the creation of this district, in securing sources of supply,
taking water and land, paying damages, laying pipes,
44 constructing, maintaining and operating a water plant and making
extensions, additions and improvements to the same, the said
46 district, through its trustees, may from time to time issue bonds
of the district to an amount necessary in the judgment of the
48 trustees therefor, maturing at one time or in uniform or varying
installments, and with or without call provisions.

Sec. 2. Emergency clause; referendum; effective date. In view of
2 the emergency cited in the preamble, this Act takes effect when
approved, except that the increase of the total indebtedness from
4 \$100,000 to \$250,000 takes effect only for the purpose of
permitting its submission to the legal voters of the Port Clyde
6 Water District, resident in the district, at the next regular
town or at a special district meeting to be called and held for
8 that purpose by March 31, 1995. The election must be called,
advertised and conducted according to the law relating to
10 municipal elections, except that the municipal officers of the
town are not required to prepare for posting, nor the town clerk
12 to post, a new list of voters and, for the purpose of
registration of voters, the board of voter registration must be
14 in session on the secular day next preceding the special
election. The town clerk of the town shall prepare the required
16 ballots, on which the town clerk shall reduce the subject matter
of this Act to the following question:

18
"Do you favor amending the charter that created the Port
20 Clyde Water District to increase the total authorized
indebtedness of the district from \$100,000 to \$250,000?"

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

28 The result of the vote must be declared by the municipal
officers of the Village of Port Clyde in the Town of St. George
30 and due certificate thereof must be filed by the town clerk with
the Secretary of State.

32
34 STATEMENT OF FACT

36 This bill raises the current debt limit of the Port Clyde
Water District from \$100,000 to \$250,000.