

MAINE STATE LEGISLATURE

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117th MAINE LEGISLATURE

FIRST REGULAR SESSION-1995

Legislative Document

No. 337

S.P. 151

In Senate, January 31, 1995

An Act to Increase the Debt Limit of the Richmond Utilities 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 McCORMICK of Kennebec.

Cosponsored by Senator: STEVENS of Androscoggin, Representative: SHIAH of Bowdoinham.

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

4
6 **Whereas,** it is necessary that this legislation be enacted
as an emergency in order for the Richmond Utilities District to
immediately borrow money to upgrade 2 pump stations and to
8 construct new sewers and storm drains to correct a seriously
overloaded wastewater treatment plant; and

10
12 **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
14 necessary for the preservation of the public peace, health and
safety; now, therefore,

16
18 **Be it enacted by the People of the State of Maine as follows:**

20 **Sec. 1. P&SL 1961, c. 154, §14-A,** as amended by P&SL 1993, c.
66, §1, is amended by amending the first sentence to read:

22 For accomplishing the purpose of this Act, the district, by vote
of its board of trustees, without district vote except as
24 provided, is authorized to borrow money temporarily and to issue
its negotiable notes; and for the purpose of renewing and
26 refunding the indebtedness so created, of paying necessary
expenses and liabilities incurred under the provisions of this
28 Act, and in acquiring properties, paying damages, laying pipes,
mains, sewers, drains and conduits, purchasing, constructing,
30 maintaining and operating a water system and a sewerage system
and making renewals, additions, extensions and improvements to
32 such systems and to cover interest payments during the period of
construction, the Richmond Utilities District, by votes of its
34 board of trustees, without district vote except as provided, is
also authorized to issue, from time to time, bonds, notes or
36 other evidences of indebtedness of the district in such amount or
amounts, bearing interest at such rate or rates, and having such
38 terms and provisions as the trustees determine; except that the
total indebtedness of the district may not exceed the sum of
40 ~~\$1,500,000~~ \$2,000,000 at any one time outstanding and in the case
of a vote by the trustees to authorize bonds or notes to pay for
42 the acquisition of property, except for the original acquisition
of property of Richmond Water Works, for the cost of a water
44 system or sewerage system or part of a water system or sewerage
system, for renewals or additions or for other improvements in
46 the nature of capital costs, the estimated cost of which singly
or in the aggregate included in any one financing is \$30,000 or
48 more, but not for renewing or refunding existing indebtedness or
to pay for maintenance, repairs or for current expenses, notice
50 of the proposed debt and of the general purpose or purposes for

2 which it was authorized must be given by the clerk by publication
at least once in a newspaper having a general circulation in the
Town of Richmond.

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

20 "Do you favor amending the charter of the Richmond Utilities
22 District by changing the debt limit of the district from
\$1,500,000 to \$2,000,000?"

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

30 The result of the vote must be declared by the municipal
officers of the Town of Richmond and due certificate thereof must
32 be filed by the town clerk with the Secretary of State.

34
36 **STATEMENT OF FACT**

38 This bill raises the current debt limit of the Richmond
Utilities District from \$1,500,000 to \$2,000,000.