

MAINE STATE LEGISLATURE

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117th MAINE LEGISLATURE

FIRST REGULAR SESSION-1995

Legislative Document

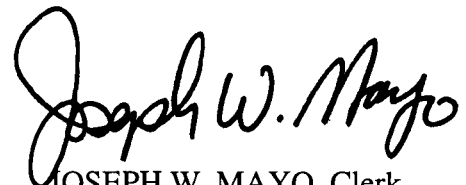
No. 362

H.P. 260

House of Representatives, January 31, 1995

**An Act to Expand the Boundaries of the Presque Isle Water District and
the Presque Isle Sewer District.**

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


JOSEPH W. MAYO, Clerk

Presented by Representative DONNELLY of Presque Isle.
Cosponsored by Senator KIEFFER of Aroostook and
Representative: WHEELER of Bridgewater.

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

12 **Sec. 1. P&SL 1937, c. 80, §4,** as repealed and replaced by P&SL
1987, c. 34, §1, is repealed and the following enacted in its
14 place:

16 **Sec. 4. Territorial limits; name; purposes.** Within the City of
Presque Isle and the territorial limits of the city, there is
18 created a body politic and corporate by the name of Presque Isle
Sewer District for the purpose of providing in that district a
20 system of public sewerage and drainage for the comfort,
convenience and health of the inhabitants of the district with
22 all the rights, privileges and immunities incident to similar
corporations.

24 **Sec. 2. P&SL 1941, c. 67, §1,** as amended by P&SL 1987, c. 34,
§2, is repealed and the following enacted in its place:

26 **Sec. 1. Territorial limits; name; purposes.** Within the City of
Presque Isle and the territorial limits of the city, there is
28 created a body politic and corporate by the name of Presque Isle
Water District for the purpose of supplying inhabitants of that
30 district with pure water for domestic, sanitary, commercial and
32 municipal purposes.

34 **Sec. 3. Referendum; effective date.** This Act must be submitted
to the legal voters of the City of Presque Isle at a special
36 election or elections to be called and held for such purpose.
The dates of the elections must be determined by the municipal
38 officers, but the first election may not be later than December
1, 1995. These special elections must be called, advertised and
40 conducted according to the law relating to municipal elections;
provided, however, that the municipal officers of the City of
42 Presque Isle are not required to prepare for posting, nor the
City Clerk to post, a new list of voters and, for the purpose of
44 registration of voters, the Board of Voter Registration must be
in session on the secular day next preceding the referendum.

46
48 The City Clerk shall reduce the subject matter of this Act
to the following questions:

2 (1) "Do you favor revision of the charter of the Presque
4 Isle Sewer District to expand the territory of the district
to the existing territorial boundary lines of the City of
Presque Isle?"

6 (2) "Do you favor revision of the charter of the Presque
8 Isle Water District to expand the territory of the district
to the existing territorial boundary lines of the City of
Presque Isle?"

10 The voters shall indicate by a cross or check mark placed
12 against the word "Yes" or "No" their opinion of the same.

14 Section 1 of this Act takes effect for all purposes
16 immediately upon the acceptance of the question of extension of
the sewer district boundaries by a majority of the legal voters
18 of the City of Presque Isle voting at the election, but only if
the total number of votes cast for and against the acceptance of
20 this Act in the special election equals or exceeds 10% of the
registered voters of the city. In the event acceptance does not
22 occur solely due to the failure of the necessary threshold
percentage of voters participating in the special election, such
24 failure does not prevent subsequent elections.

26 Section 2 of this Act takes effect for all purposes
immediately upon the acceptance of the question of extension of
28 the water district boundaries by a majority of the legal voters
of the City of Presque Isle voting at the election, but only if
30 the total number of votes cast for and against the acceptance of
this Act in the special election equals or exceeds 10% of the
32 registered voters of the city. In the event acceptance does not
occur solely due to the failure of the necessary threshold
34 percentage of voters participating in the special election, such
failure does not prevent subsequent elections.

36 The results of the elections must be declared by the
municipal officers of the city and due certificates thereof must
38 be filed by the City Clerk with the Secretary of State.

40

42 STATEMENT OF FACT

44 The purpose of this bill is to expand the Presque Isle Water
District territorial boundaries and the Presque Isle Sewer
46 District territorial boundaries to the territorial limits of the
City of Presque Isle.