

# MAINE STATE LEGISLATURE

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DATE: May 10, 1995 (Filing No. S-131 )

UTILITIES AND ENERGY

Reported by: Senator CARPENTER of York for the Committee.

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STATE OF MAINE
SENATE
117TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 411, L.D. 1099, Bill, "An Act to Combine the Sabattus Water District and the Sabattus Sanitary District"

Amend the bill by striking out all of section 6 and inserting in its place the following:

'Sec. 6. Authority to acquire property; rights of eminent domain. In addition to the district's eminent domain powers granted under the Maine Revised Statutes, Title 38, chapter 11, the district is granted the right of eminent domain for the purposes of this Act pursuant to Title 35-A, chapters 65 and 67.

This section may not be construed as authorizing the district to take by right of eminent domain any of the property or facilities of any other public utility used, or acquired for future use by the owner of that property or those facilities, in the performance of a public duty, unless expressly authorized to do so by this Act or by subsequent Act of the Legislature.'

Further amend the bill in section 18 in the last paragraph in the last line (page 7, line 18 in L.D.) by inserting after the following: "State." the following: 'The trustees of the Sabattus Water District shall certify the results of their vote and file the certification with the Secretary of State.'

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

COMMITTEE AMENDMENT

R 418

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**FISCAL NOTE**

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This bill requires the Town of Sabattus to hold a public referendum. The additional costs of this state mandate are likely to be relatively minor. Pursuant to the Mandate Preamble, the 2/3 vote of all members elected to each House exempts the State from the constitutional requirement to fund 90% of the additional local costs.

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If approved by the voters of the Town of Sabattus, the Public Utilities Commission will incur some minor additional costs to administer certain requirements for the newly constituted Sabattus Sanitary District. These costs can be absorbed within the commission's existing budgeted resources.'

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**STATEMENT OF FACT**

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This amendment makes technical corrections and adds a fiscal note to the bill.

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