

MAINE STATE LEGISLATURE

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R. of S.

L.D. 1572

DATE: 6/21/95

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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. 1127, L.D. 1572, Bill, "An Act to Amend the Charter of the Corinna Water District"

Amend the bill by inserting after the title 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 Corinna Water District needs to undertake an expansion of its water lines immediately; and

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 necessary for the preservation of the public peace, health and safety; now, therefore, '

Further amend the bill by inserting after section 1 the following:

'Sec. 2. P&SL 1947, c. 86, §11, first sentence, as amended by P&SL 1969, c. 82, §2, is further amended to read:

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For accomplishing the purposes of this Act, said the district, through its trustees, is authorized to borrow money from time to time, not to exceed \$500,000 \$1,000,000, and to issue therefore for that purpose the interest bearing negotiable notes of the district, maturing serially or otherwise, and to make subsequent renewals of the same in whole or in part, and for said those purposes and for the purpose of refunding any notes, bonds or other lawful indebtedness and to establish a fund therefor, of obtaining or providing money to pay or to meet any necessary expenses and liabilities under the provisions of this Act, including expenses in the creation of this district, in securing sources of supply, taking water and land, paying damages, laying pipes, constructing, maintaining and operating a water plant system and making extensions, additions and improvements to the same, the said district, through its trustees, may from time to time issue bonds of the district ~~to~~ in an amount necessary in the judgment of the trustees therefor, maturing at one time or in uniform or varying installments, with or without call provisions and at or without any premium.'

Further amend the bill by inserting after section 3 the following:

'Sec. 4. Emergency clause; referendum; effective date. In view of the emergency cited in the preamble, this Act takes effect when approved except that section 2 takes effect only for the purpose permitting its submission to the legal voters within the Corinna Water District at an election called for that purpose and held by December 31, 1996. The election must be called, advertised and conducted according to the law relating to municipal elections, except that the registrar of voters is not required to prepare or the clerk to post a new list of voters. The registrar of voters must be in session the secular day preceding the election for the purposes of registering voters. The subject matter of section 2 of this Act is reduced to the following question:

"Do you favor increasing the debt limit of the Corinna Water District from \$500,000 to \$1,000,000?"

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

The results must be declared by the municipal officers of the Town of Corinna and the due certificate of the results filed by the clerk with the Secretary of State.

Section 2 of this Act takes effect for all purposes immediately upon its acceptance by a majority of the legal voters within the district voting at the special election. Failure of

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the approval by the necessary majority of voters at any such election does not prevent a subsequent election or elections from being held for that purpose, provided the election is held no later than December 31, 1996.'

Further amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

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

FISCAL NOTE

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

STATEMENT OF FACT

This amendment adds an emergency preamble, emergency clause and mandate preamble to the bill. The amendment also adds a new section increasing the debt limit of the Corinna Water District from \$500,000 to \$1,000,000. This increase in the debt limit is made contingent upon referendum approval by the voters in the district. This amendment also adds a fiscal note.