

MAINE STATE LEGISLATURE

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118th MAINE LEGISLATURE

FIRST REGULAR SESSION-1997

Legislative Document

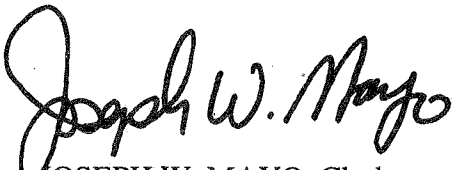
No. 935

H.P. 683

House of Representatives, February 11, 1997

An Act to Increase the Debt Limit of the Waldoboro Utility District.

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


JOSEPH W. MAYO, Clerk

Presented by Representative SPEAR of Nobleboro.
Cosponsored by Senator KILKELLY of Lincoln and
Representatives: HONEY of Boothbay, PIEH of Bremen, SAVAGE of Union.

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

2 **Sec. 1. P&SL 1963, c. 146, §7,** as amended by P&SL 1991, c. 34,
4 §1, is further amended to read:

6 **Sec. 7. Rights of abutters or others to enter.** Any A person may not
8 enter that person's private sewer into any sewer of the district
10 ~~while the same is under construction and before completion of~~
12 ~~said sewer at the point of entry, and before an entrance charge~~
14 ~~is established, on obtaining a permit in writing from the~~
16 ~~trustees, but after the sewer is completed to the point of entry~~
18 ~~and an entrance charge established on that location, a person may~~
20 ~~not enter that person's private sewer into such sewer until that~~
22 person has paid the entrance charge and obtained a permit in
writing from the trustees. All such permits shall must be
recorded by the clerk of the district in its records before the
same are issued.

24 **Sec. 2. P&SL 1963, c. 146, §17,** as amended by P&SL 1963, c. 216,
26 §1; P&SL 1987, c. 98, §2 and P&SL 1989, c. 2, §2 is repealed and
28 the following enacted in its place:

30 17. Authorized to borrow money to issue bonds and notes.
32 For accomplishing the purposes of this Act, the district, by
34 resolutions of its board of trustees, without district vote, is
36 authorized to borrow money temporarily and to issue for the money
38 its negotiable notes, and for the purpose of renewing and
40 refunding the indebtedness so created, of paying any necessary
42 expenses and liabilities incurred under the provisions of this
44 Act, including organizational and other necessary expenses and
46 liabilities incurred by the district or the Town of Waldoboro,
48 the district being authorized to reimburse the Town of Waldoboro
50 for any such expense incurred or paid by the town, and in
52 acquiring properties, paying damages, laying sewers, drains and
conduits, constructing, maintaining and operating a sewage plant
or system and making renewals, additions, extensions and
improvements to them, and to cover interest payments during the
period of construction, the Waldoboro Utility District, by
resolutions of its board of trustees, without district vote, is
also authorized to issue from time to time, bonds, notes or other
evidences of indebtedness of the district in one series or in
separate series, in such amount or amounts, bearing interest at
such rate or rates, and having such terms and provisions as the
trustees shall determine; except that the total indebtedness of
the district at any one time outstanding may not exceed the sum
of \$2,000,000. The bonds, notes and evidences of indebtedness
may be issued to mature serially or made to run for such periods
as the trustees may determine, but the bonds, notes and evidences
of indebtedness may not run for a longer period than 40 years
from the date of original issue of the bonds, notes and evidences
of indebtedness. Bonds, notes or evidences of indebtedness may
be issued with or without provision for calling them prior to

2 maturity and, if callable, may be made callable at par or at such
3 premium as the trustees may determine. All bonds, notes and
4 evidences of indebtedness must have inscribed upon their face the
5 words "Waldoboro Utility District," and be signed by the
6 treasurer and countersigned by the chair of the board of trustees
7 of the district and, if coupon bonds are issued, the interest
8 coupons attached to the coupon bonds must bear the facsimile of
9 the signature of the treasurer. All bonds, notes and evidences
10 of indebtedness issued by the district are legal obligations of
11 the district, which is a quasi-municipal corporation as defined
12 in the Maine Revised Statutes, Title 30-A, section 2351, and all
13 provisions of that section are applicable. The district may
14 issue in one series or in separate series, its bonds, notes and
15 evidences of indebtedness, for the purpose of paying, redeeming
16 or refunding outstanding bonds, notes or evidences of
17 indebtedness, and each authorized issue constitutes a separate
18 loan. All bonds, notes and evidences of indebtedness issued by
19 the district are legal investments for savings banks in the State
20 and are tax-exempt. The district is authorized and empowered to
21 enter into agreements with the State or Federal Government, or
22 any agency of either, or any corporation, commission or board
23 authorized by the State or Federal Government to grant or loan
24 money to or otherwise assist in the financing of projects such as
25 the district is authorized to carry out and to accept grants and
26 borrow money from any government agency, corporation, commission
or board as may be necessary or desirable to enforce this Act.

28 **Sec. 3. Referendum; effective date.** Section 2 of this Act must
29 be submitted to the legal voters of the Waldoboro Utility
30 District at an election to be called and held for the purpose by
31 December 31, 1998. The election must be called by the municipal
32 officers and must be held at the regular voting places. The
33 election must be called, advertised and conducted according to
34 the law relating to municipal elections; except that the board of
35 registration is not required to prepare nor the town clerk to
36 post a new list of voters, and for this purpose the board of
37 registration must be in session on the 3 working days next
38 preceding the election, the first and 2nd days to be devoted to
39 registration of voters and the last day to enable the board to
40 verify the corrections of the lists and to complete and close
41 their records of the session. The town clerk shall reduce the
42 subject matter of section 2 of this Act to the following question:

44 "Do you favor amending the Waldoboro Utility District
45 charter by changing the debt limit of the district from
46 \$1,000,000 to \$2,000,000?"

48 Section 2 of this Act takes effect for all purposes
49 immediately upon acceptance by a majority of the legal voters at
50 the election, but only if the total number of votes cast for and
against its acceptance exceeds 10% of the registered voters of

2 the district, but failure of approval does not prevent subsequent
elections held prior to December 31, 1998.

4 The results of the election must be declared by the
municipal officers of the town and due certificate of the
6 election must be filed by the town clerk with the Secretary of
State.

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SUMMARY

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This bill raises the debt limit of the Waldoboro Utility
12 District from \$1,000,000 to \$2,000,000. The bill also removes
obsolete language from the charter.

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