

MAINE STATE LEGISLATURE

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118th MAINE LEGISLATURE

FIRST SPECIAL SESSION-1997

Legislative Document

No. 1873

S.P. 652

In Senate, May 13, 1997

An Act to Increase the Debt Limit of the Vinalhaven Water District.

(AFTER DEADLINE)

(EMERGENCY)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

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

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator PINGREE of Knox.
Cosponsored by Representative: VOLENIK of Brooklin.

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

4 **Whereas,** the Vinalhaven Water District needs to replace its
6 water supply source and to replace a water main; and

8 **Whereas,** the present borrowing capacity of the district is
not large enough to finance the project; and

10 **Whereas,** it is essential that the work be completed as soon
12 as possible in order to provide water service to the inhabitants
of the district and to protect the present expenditures; and

14 **Whereas,** in the judgment of the Legislature, these facts
16 create an emergency within the meaning of the Constitution of
Maine and require the following legislation as immediately
18 necessary for the preservation of the public peace, health and
safety; now, therefore,

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

22 **Sec. 1. P&SL 1977, c. 99, §12, first sentence** is amended to read:

24 For accomplishing the purposes of this Act, and for such any
26 other expenses as that may be necessary for the carrying out of
those purposes, the district, through its trustees, is authorized
28 to borrow money temporarily and to issue ~~therefor~~ for the money
its negotiable notes; and for the purpose of renewing and
30 refunding the indebtedness so created, of paying any necessary
expenses and liabilities incurred under the provisions of this
32 Act, including organizational and other necessary expenses and
liabilities, whether incurred by the district or the
34 municipality, the district being authorized to reimburse the
municipality for any such expenses incurred by it, and in
36 acquiring properties, paying damages, laying pipes, mains,
aqueducts, conduits, constructing, maintaining and operating a
38 water plant or system and making renewals, additions, extensions
and improvements to the same, and to cover interest payments
40 during the period of construction, the district, through its
trustees, is also authorized to issue, from time to time, bonds,
42 notes or other evidences of indebtedness of the district in one
series, or in separate series, the amount or amounts, not
44 exceeding the sum of \$400,000 \$1,500,000 outstanding at any one
time, bearing interest at such rate or rates, and having such
46 terms and provisions as the trustees shall determine; ~~provided~~
except that in the case of a vote by the trustees to authorize
48 bonds or notes to pay for the acquisition of property, for the
cost of a water system or part thereof of a water system, for
50 renewal or additions or for other improvements in the nature of

2 capital costs, the estimated cost of which, singly or in the
3 aggregate included in any one financing is \$30,000 or more, or
4 for renewing or refunding existing indebtedness, notice of the
5 proposed debt and of the general purpose or purposes for which it
6 was authorized shall must be given by the clerk by publication at
7 least once in a newspaper having a general circulation in the
8 Town of Vinalhaven.

9
10 **Sec. 2. Emergency clause; referendum; effective date.** In view of
11 the emergency cited in the preamble, this Act takes effect when
12 approved except that section 1 of this Act takes effect only for
13 the purpose of permitting its submission to the legal voters
14 within the district by December 31, 1997. The election must be
15 called, advertised and conducted according to the law relating to
16 municipal elections, except that the registrar of voters is not
17 required to prepare or the clerk to post a new list of voters.
18 For the purposes of registration of voters, the registrar of
19 voters must be in session the secular day preceding the
20 election. The subject matter of section 1 is reduced to the
21 following question:

22 "Do you favor increasing the debt limit of the Vinalhaven
23 Water District from \$400,000 to \$1,500,000?"

24
25 The voters shall indicate by a cross or check mark placed
26 against the word "Yes" or "No" their opinion of the same.

27
28 The results must be declared by the municipal officers of
29 the Town of Vinalhaven and due certificate of the results filed
30 by the clerk with the Secretary of State.

31
32 This Act takes effect for all purposes immediately upon its
33 approval by a majority of the legal voters voting at the
34 election. Failure to achieve the necessary approval in any
35 referendum does not prohibit subsequent referenda consistent with
36 this section, provided the referenda are held prior to December
37 31, 1997.

38
39
40 **SUMMARY**

41
42 This bill increases the debt limit of the Vinalhaven Water
District from \$400,000 to \$1,500,000.