

MAINE STATE LEGISLATURE

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118th MAINE LEGISLATURE

SECOND REGULAR SESSION-1997

Legislative Document

No. 1912

H.P. 1361

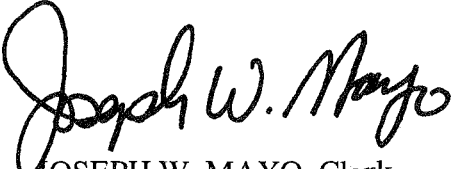
House of Representatives, December 4, 1997

**An Act to Amend the Charter of the Guilford-Sangerville Water District
to Increase the Bond Authorization.**

(EMERGENCY)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Received by the Clerk of the House on December 2, 1997. Referred to the Committee on Utilities and Energy pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.


JOSEPH W. MAYO, Clerk

Presented by Representative JONES of Greenville.
Cosponsored by Senator: RUHLIN of Penobscot.

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

4
6 **Whereas,** the Guilford-Sangerville Water District needs to
build a new reservoir; and

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

10
12 **Whereas,** it is essential that the work be completed as soon
as possible to be in compliance with an order issued by the
Department of Human Services; and

14
16 **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
18 necessary for the preservation of the public peace, health and
safety; now, therefore,

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

24 **Sec. 1. P&SL 1977, c. 98, §9, first sentence** is amended to read:

26 For accomplishing the purposes of this Act, the water district,
through its trustees, is authorized to borrow money temporarily
and to issue ~~therefor--the~~ for that purpose negotiable notes of
28 the district, and for the purpose of refunding the indebtedness
so created, for paying any necessary expenses and liabilities
30 incurred under the provisions of this Act, including the expenses
incurred in the creation of a district, in securing sources of
32 supply, taking water and land, paying damages, taking
rights-of-way or other interests in real estate, by purchase or
34 otherwise, laying pipes, aqueducts and mains, constructing,
installing, maintaining and operating reservoirs, standpipes,
36 dams, pumping stations and whatever equipment may be necessary or
incidental to the construction and installation of that system of
38 water works and making renewals of or extensions, additions and
improvements to the same, the district by votes of its board of
40 trustees, without district vote except as ~~hereinafter~~ provided in
this Act, is also authorized to issue, from time to time, bonds,
42 notes or other evidences of indebtedness of the district and to
make subsequent renewals of the bonds, notes or other evidences
44 of indebtedness in the amount or amounts, not exceeding the sum
of \$1,500,000 \$1,700,000 outstanding at any one time, bearing
46 interest at such rate or rates, and having such terms and
provisions as the trustees shall determine; ~~provided~~ except that
48 in the case of a vote by the trustees to authorize bonds or notes
to pay for the acquisition of property, for the cost of a water

2 system or part thereof of a water system, for renewal or
4 additions or for other improvements in the nature of capital
6 costs, the estimated cost of which, singly or in the aggregate
8 included in any one financing is \$30,000 or more, or for renewing
10 or refunding existing indebtedness, notice of the proposed debt
and of the general purpose or purposes for which it was
authorized shall must be given by the clerk by publication at
least once in a newspaper having a general circulation in the
Town of Guilford and the Town of Sangerville.

12 **Sec. 2. P&SL 1977, c. 98, §9,** is amended by inserting after the
first paragraph a new paragraph to read:

14 Notwithstanding any other provision of this section, the
16 district, through its trustees, may issue bonds, notes or other
18 evidences of indebtedness in amounts exceeding \$1,700,000 at any
20 one time if a greater debt limit is established by referendum in
22 accordance with the Maine Revised Statutes, Title 35-A, section
6413. The district may not have outstanding at any one time
bonds, notes or other evidences of indebtedness in amounts
exceeding any debt limit established by referendum in accordance
with Title 35-A, section 6413.

24 **Sec. 3. Emergency clause; referendum; effective date.** In view of
26 the emergency cited in the preamble, this Act takes effect when
28 approved, except that section 1 of this Act takes effect only for
30 the purpose of permitting its submission to the legal voters
32 within the Guilford-Sangerville Water District by December 31,
34 1998. 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. For the purposes of registration
of voters, the registrar of voters must be in session the secular
day preceding the election. The subject matter of section 1 must
be reduced to the following question:

36 "Do you favor increasing the debt limit of the
38 Guilford-Sangerville Water District from \$1,500,000 to
40 \$1,700,000?"

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

44 The results must be declared by the municipal officers of
46 the Town of Guilford and the Town of Sangerville and due
certificate of the results filed by the town clerks with the
Secretary of State.

48 This Act takes effect for all purposes immediately upon its
50 approval by a majority of the legal voters voting at the

2 election. Failure to achieve the necessary approval in any
referendum does not prohibit subsequent referenda consistent with
4 this section, provided the referenda are held prior to December
31, 1998.

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SUMMARY

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10 This bill increases the debt limit of the
Guilford-Sangerville Water District from \$1,500,000 to
12 \$1,700,000. It also allows the water district to increase its
debt limit by referendum vote without further legislative
14 authorization in the same manner as standard water districts are
authorized to increase their debt limits.