

MAINE STATE LEGISLATURE

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L.D. 2317

DATE: 3-1-00

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UTILITIES AND ENERGY

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
119TH LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1648, L.D. 2317, Bill, "An Act Increasing the Authorized Indebtedness of the Veazie Sewer District"

Amend the bill by striking out everything after the title and before the summary and inserting in its place the following:

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

Whereas, the Veazie Sewer District has reached the capacity of its sewage treatment plant and needs immediately to expand its treatment capacity; and

Whereas, the Veazie Sewer District can not increase its treatment capacity unless it gets authority to increase its borrowing capacity; 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,

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

Sec. 1. P&SL 1951, c. 114, §8, first sentence, as amended by P&SL 1985, c. 48, §1 and affected by §2, is further amended to read:

To procure funds for the purposes of this Act, and for such other expenses as may be necessary to carry out those purposes, the

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district, by its trustees, is authorized from time to time to borrow money and to issue its bonds and notes therefor for the money, but shall may not incur a total indebtedness exceeding the sum of \$1,000,000 \$2,000,000 at any one time outstanding, unless a higher debt limit is established pursuant to this section.

Sec. 2. P&SL 1951, c. 114, §8, as amended by P&SL 1985, c. 48, §1 and affected by §2, is further amended by adding at the end the following:

In order to establish a higher debt limit for the district, the trustees shall propose a new debt limit for the district, which the trustees shall submit for approval in a districtwide referendum. The referendum must be called, advertised and conducted according to the law relating to municipal elections, except the registrar of voters is not required to prepare or the clerk to post a new list of voters. For the purpose of registering voters, the registrar of voters must be in session on the secular day next preceding the election. The town clerk of the Town of Veazie shall prepare the required ballots with the following question:

"Do you favor changing the debt limit of the Veazie Sewer District from (insert current debt limit) to (insert proposed debt limit)?"

The voters shall indicate by a cross or check mark placed against the word "Yes" or "No" their opinion on the question. The results must be declared by the trustees and entered upon the district's records. Due certificate of the results must be filed by the clerk with the Secretary of State.

A debt limit proposal becomes effective upon its acceptance by a majority of the legal voters within the district voting at the referendum. Failure of approval by the majority of voters voting at the referendum does not prevent subsequent referenda from being held for the same purpose. The district may increase its debt limit as often as approved pursuant to this section. The costs of referenda are borne by the district.

Sec. 3. Emergency clause; referendum; effective date. In view of the emergency cited in the preamble, this Act takes effect when approved only for the purpose of permitting its submission to the legal voters within the Veazie Sewer District at a special or regular town meeting or election held prior to February 1, 2001. 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 town clerk to post a new list of voters. The registrar of voters must be in session on the secular day next preceding the election. The town clerk shall prepare the required ballots, on

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2 which the town clerk shall reduce the subject matter of this Act
to the following question:

4 "Do you favor increasing the debt limit of the Veazie Sewer
District to \$2,000,000 and allowing the district to increase
6 its debt limit in the future through referendum without
further legislative approval?"

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10 The voters shall indicate by a cross or check mark placed
against the word "Yes" or "No" their opinion on the question.

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

16 This Act takes effect immediately upon its acceptance by a
majority of the legal voters voting at the election.'

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SUMMARY

22 This amendment replaces the bill. This amendment, subject
to approval in a district referendum:

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26 1. Increases the debt limit of the Veazie Sewer District to
\$2,000,000; and

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30 2. Allows the district to increase its debt limit in the
future through the referendum process without further legislative
approval.

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This amendment also adds an emergency to the bill.

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