

MAINE STATE LEGISLATURE

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DATE: 4-30-01

(Filing No. H-228)

UTILITIES AND ENERGY

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
120TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 985, L.D. 1322, Bill, "An Act to Increase the Borrowing Capacity of the Topsham Sewer District"

Amend the bill by striking out all of the emergency clause (page 1, lines 39 and 40 in L.D.) and inserting in its place the following:

Sec. 2. P&SL 1957, c. 128, §9, sub-§7 is enacted to read:

7. Debt limit increases. Notwithstanding the limitation on aggregate indebtedness established in subsection 6, the trustees of the district may propose a different debt limit and submit that debt limit for districtwide approval at a special or regular town meeting 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 question presented must conform to the following form:

"Do you favor changing the debt limit of the Topsham 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 municipal officers of the Town of Topsham and due certificate of the results filed by the town clerk with the Secretary of State.

COMMITTEE AMENDMENT

2 A debt limit proposal becomes effective upon its acceptance by a
3 majority of the legal voters within the district voting at the
4 town meeting. Failure of approval by the majority of voters
5 voting at the town meeting does not prevent subsequent elections
6 from being held for the same purpose. The costs of holding the
7 elections are borne by the district.

8 The total indebtedness of the district at any one time
9 outstanding may not exceed the sum approved in accordance with
10 this subsection.

12 **Sec. 3. P&SL 1957, c. 128, §9, last 3 ¶¶, as enacted by P&SL 1977,**
13 **c. 49, are repealed.**

14 **Sec. 4. Emergency clause; referendum; effective date.** In view of
15 the emergency cited in the preamble, this Act takes effect when
16 approved only for the purpose of permitting its submission to the
17 legal voters within the district at a special or regular town
18 meeting or election held prior to January 1, 2002. The election
19 must be called, advertised and conducted according to the law
20 relating to municipal elections, except that the registrar of
21 voters is not required to prepare or the town clerk to post a new
22 list of voters. The registrar of voters must be in session on
23 the secular day next preceding the election. The town clerk
24 shall prepare the required ballots, on which the town clerk shall
25 reduce the subject matter of this Act to the following question:
26

28 "Do you favor increasing the debt limit of the Topsham Sewer
29 District from \$1,000,000 to \$2,000,000?"

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

34 The results must be declared by the municipal officers of
35 the Town of Topsham and due certificate of the results filed by
36 the town clerk with the Secretary of State.

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

42 SUMMARY

44 This amendment:

46 1. Removes obsolete language from the Topsham Sewer
District charter;

- 2 2. Removes language from the Topsham Sewer District charter
relating to approval in a municipal town meeting of the issuance
4 of debt by the district in excess of the debt limit;
- 6 3. Inserts a new provision in the charter allowing the
district through a local referendum process to increase its debt
8 limit; and
- 10 4. Makes the bill subject to local referendum approval.