



120th MAINE LEGISLATURE

FIRST REGULAR SESSION-2001

Legislative Document

No. 1828

H.P. 1372

House of Representatives, June 11, 2001

An Act to Clarify the Laws Regarding the Extension of Water and Wastewater Service to the Town of Raymond.

(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.

Millicent M. Mac Jailand

MILLICENT M. MacFARLAND, Clerk

Presented by Representative BRUNO of Raymond.

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

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Whereas, the Town of Raymond recently joined the Portland Water District through legislation that became effective May 25, 2001; and

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Whereas, the new legislation requires the Town of Raymond to participate in the election of a water district trustee scheduled 10 to take place on June 11, 2001, which is insufficient time for the town to provide proper public notice under the State's 12 election laws; and

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Whereas, there is a risk that the Town of Raymond will be in violation of the terms of the water district's charter if 16 legislation does not become effective prior to the June 11, 2001 election date; and 18

20 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 22 necessary for the preservation of the public peace, health and safety; now, therefore, 24

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

preamble, this Act takes effect when approved.

Sec. 1. Town of Raymond not required to hold special election. 28 Notwithstanding Private and Special Law 2001, chapter 25, section 6, the Town of Raymond is not required to hold a special town 30 meeting in June of 2001 to participate in the election of a trustee to the board of the Portland Water District representing 32 the Town of Falmouth, the Town of Cumberland, the Town of Windham and the Town of Raymond. 34

Sec. 2. Authorized to provide water service. Notwithstanding the 36 Maine Revised Statutes, Title 22, section 2653, the Portland 38 Water District is authorized to provide water service, as provided in its charter, to the Town of Raymond without the need for either the water district or the town to conduct a vote under 40 Title 22, section 2653.

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SUMMARY

Emergency clause. In view of the emergency cited in the

This bill corrects an inconsistency between the State's election laws that require a certain notice period before holding 50 a special town meeting and the recently adopted amendment to the

charter of the Portland Water District that adds the Town of 2 Raymond to the district and requires the town to hold a special town meeting to participate in the election of a trustee. Because the amendment to the charter was signed into law on May 4 25, 2001 on an emergency basis as Private and Special Law 2001, chapter 25 and the date of election of one of the district's 6 trustees is scheduled for June 11, 2001, the Town of Raymond can 8 not comply with the law without violating the time frames of the State's election laws. This bill corrects the inconsistency by 10 not requiring the Town of Raymond to participate in the June 2001 trustee election.

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The bill also clarifies that the Town of Raymond is not 14 required to hold a vote under the Maine Revised Statutes, Title 22, section 2653, the authorization of fluoridation, to receive 16 water from the Portland Water District.