

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

R. of S.

L.D. 1862

DATE: 1-25-02

(Filing No. H-761)

UTILITIES AND ENERGY

Reproduced and distributed under the direction of the Clerk of the House.

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

COMMITTEE AMENDMENT "A" to H.P. 1418, L.D. 1862, Bill, "An Act to Amend the Charter of the Winterport Sewerage District"

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

PART A

Sec. A-1. P&SL 1971, c. 143, §17, first ¶, as amended by P&SL 1979, c. 68, is further amended to read:

Sec. 17. Authority to borrow money. For accomplishing the purposes of this Act and for such other expense as may be necessary for the carrying out of said purposes, said district, through its trustees, without district vote, is authorized to issue its notes and bonds in one series or in separate series from time to time and to make subsequent renewals of the same in whole or in part to an amount not exceeding the sum of \$400,000 \$1,200,000. Said notes and bonds shall--be--a are the legal obligation of said district, which is hereby declared to be a quasi-municipal corporation within the meaning of the Maine Revised Statutes of 1964, Title 30 30-A, section 5053 5701 and all the provisions of said section are applicable thereto to those notes and bonds; shall--be are a legal investment for savings banks in the State of Maine; and shall--be are exempt from all present taxes. Each bond or note shall must have inscribed on its face the words "Winterport Sewerage District Bond" or "Winterport Sewerage District Note", as the case may be, and shall--bear bears interest at such rates as the trustees shall determine. If--said--bonds--or--notes--be--issued The district may

COMMITTEE AMENDMENT

refund and reissue from time to time, in one or in separate series, its bonds, notes and other evidences of indebtedness and each authorized issue shall--constitute constitutes a separate loan. Each loan is payable in annual amounts of principal, beginning not more than one year from its date and made-to--run running for such period as said trustees shall determine.

PART B

Sec. B-1. P&SL 1971, c. 143, §17, as amended by P&SL 1979, c. 68, is further amended by adding after the first paragraph the following new paragraphs to read:

Notwithstanding the limitations on total indebtedness established in this section, the trustees may 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 by the Town of Winterport according to the Maine Revised Statutes, Title 30-A, section 2528, except that the district is responsible for calling and holding the public hearing prior to the election and the registrar of voters is not required to prepare or the town clerk to post a new list of voters. For the purpose of registering voters, the registrar of voters must be in session on the regular workday preceding the election. The town clerk of the Town of Winterport shall prepare the required ballots with the following question:

"Do you favor changing the debt limit of the Winterport Sewerage 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 Winterport and due certificate of the results filed by the town clerk with the Secretary of State.

A debt limit proposal becomes effective immediately upon its acceptance by a majority of the legal voters within the district voting at the election. Failure of approval by the necessary majority of voters at the referendum does not prevent subsequent referenda from being held for the same purpose. The costs of referenda conducted under this section are borne by the district. The total indebtedness of the district at any one time outstanding may not exceed the sum approved by referendum.

PART C

2
4
6
8
10
12
14
16

Sec. C-1. Emergency clause; referendum; effective date. In view of the emergency cited in the preamble, this Act takes effect when approved, except that Part A of this Act takes effect when approved only for the purpose of permitting its submission to the legal voters within the Winterport Sewerage District at a special or regular town meeting or election held prior to January 1, 2003. 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 which the town clerk shall reduce the subject matter of Part A of this Act to the following question:

18 "Do you favor increasing the debt limit of the Winterport
20 Sewerage District from \$400,000 to \$1,200,000?"

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

24 The results must be declared by the municipal officers of
26 the Town of Winterport and due certificate of the results filed
 by the town clerk with the Secretary of State.

28 Part A of this Act takes effect immediately upon its
30 acceptance by a majority of the legal voters voting at the
 election.'

32
34

SUMMARY

36 This amendment replaces the bill. The amendment
 accomplishes the following:

38 1. It increases the debt limit of the Winterport Sewerage
40 District from \$400,000 to \$1,200,000, subject to approval by
 local referendum; and

42 2. It permits the district to increase its debt limit in
 the future through a referendum process.