

MAINE STATE LEGISLATURE

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17
R.S.

L.D. 655

DATE: 4-24-03

(Filing No. H-180)

UTILITIES AND ENERGY

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
121ST LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 485, L.D. 655, Bill, "An Act To Revise the Charter of the Brunswick Sewer District"

Amend the bill by inserting after the enacting clause and before section 1 the following:

'PART A'

Further amend the bill in section 1 in that part designated "Sec. 2." in the 6th line (page 1, line 11 in L.D.) by inserting after the following: "nonfederal" the following: 'governmental or quasi-governmental'

Further amend the bill by inserting after section 1 the following:

'Sec. 2. P&SL 1947, c. 77, §24, sub-§5, as enacted by P&SL 1981, c. 103, is amended to read:

5. Consultation. Prior to authorizing any sewer extension, except by specific state or federal mandate, the trustees shall notify the town council and consult with the planning board in order to assure conformity with their comprehensive plans and other public policies relating to growth and development. The trustees shall publish a notice of the proposed action in a newspaper with general circulation in the district, no less than 7 days prior to the meeting at which they will take final action on the authorization of the extension.

Nothing in this section exempts the district from complying with the requirements of the Maine Revised Statutes, Title 38, section 1252, subsection 7.

COMMITTEE AMENDMENT

Revis

PART B

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Further amend the bill in section 2 in that part designated "Sec. 11." by striking out all of subsection 5 (page 2, lines 37 to 48 in L.D.)

Further amend the bill by inserting after section 2 the following:

PART C

Sec. C-1. Referendum; effective date. This Act takes effect 90 days after the adjournment of the First Regular Session of the 121st Legislature, except that Part B of this Act takes effect only for the purpose of permitting its submission to the legal voters within the Brunswick Sewer District at a special or regular town meeting or election held prior to January 1, 2005. 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. The registrar of voters must be in session on the secular day next preceding the election. The clerk shall prepare the required ballots, on which the clerk shall reduce the subject matter of Part B of this Act to the following question:

"Do you favor extending the boundary of the Brunswick Sewer District to include the growth area designated on the Town of Brunswick's zoning map, and any subsequent expansions of that growth area, and allowing the boundary to be further extended by action of the Town Council when a threat to public health, safety or welfare is determined to exist and a sewer extension is determined to be the most appropriate solution?"

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

The results must be declared by the trustees of the Brunswick Sewer District and due certificate of the results filed by the clerk with the Secretary of State.

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

Further amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

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SUMMARY

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This amendment clarifies certain language of the bill and removes a provision redundant of requirements imposed under state law. It also adds a referendum clause relating to that portion of the bill that expands the territory of the Brunswick Sewer District.

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