

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)



122nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2005

Legislative Document

No. 389

H.P. 291

House of Representatives, January 25, 2005

An Act To Amend the Waldoboro Utility District

(EMERGENCY)

Reference to the Committee on Utilities and Energy suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative TRAHAN of Waldoboro.

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

4
6 **Whereas,** it is necessary that this legislation be enacted as
an emergency so that the trustees of the Waldoboro Utility
District may establish reserve accounts as soon as possible; and

8
10 **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
12 necessary for the preservation of the public peace, health and
safety; now, therefore,

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

16 **Sec. 1. P&SL 1963, c. 146, §7,** as amended by P&SL 1997, c. 18,
18 §1, is repealed and the following enacted in its place:

20 **Sec. 7. Procedure for connection of sewer.** A person may enter
22 that person's private sewer into a sewer of the district upon
obtaining a permit in writing from the trustees and upon paying
entrance charges as established by the district.

24 **Sec. 2. P&SL 1963, c. 146, §14, 3rd ¶, 3rd sentence,** as repealed
26 and replaced by P&SL 1989, c. 2, §1, is amended to read:

28 Each voter who signs a nomination paper shall add the ~~candidate's~~
voter's place of residence with the street and number, if any.

30 **Sec. 3. P&SL 1963, c. 146, §14, 3rd ¶ from the end,** as amended by
32 P&SL 1993, c. 33, §1, is further amended to read:

34 Members of the board of trustees are eligible to any office
under the board. The trustees are entitled to receive as
36 compensation for their services an amount to be determined by
them ~~not to exceed \$300 each per year, but if they fail to~~
38 ~~determine a salary they are entitled to receive \$10 each for each~~
~~meeting of the board that they attend~~ and approved by the
40 municipal officers as required by the Maine Revised Statutes,
Title 38, section 1252, subsection 5. The treasurer may be
42 allowed such compensation as the trustees determine.

44 **Sec. 4. P&SL 1963, c. 146, §18, 3rd ¶** is amended to read:

46 The sewer rates, tolls, rents and entrance charges shall
must be so established as to provide revenue for the following
48 purposes:

50 I. To pay the current expenses for operating and

maintaining the sewerage---system+ pollution control facilities:

II. To provide for the payment of the interest on-the and retirement of such long-term indebtedness created-by as the district has legally entered into;

III. To provide ~~each-year-a-sum-equal-to-not-less-than-1% nor-more-than-5%-of-the-entire-indebtedness-created-by-the district,-which-sum-shall-be-turned-into-a-sinking-fund-and there--kept--to--provide--for--the--extinguishment--of--said indebtedness~~ for reserve accounts as the trustees may establish, including, but not limited to, capital improvement accounts, capital equipment accounts, credit reserve accounts, sinking fund accounts and capital dedicated reserve accounts. Money set aside for the ~~sinking fund-shall-be-devoted-to-the-retirement-of-the-obligations of-said-sewer-district,-and~~ reserve accounts may be invested in such securities as savings banks in this State are allowed to hold; and

IV. If any surplus remains at the end of the year, it may be turned into ~~the--sinking--fund~~ any established reserve account.

Emergency clause. In view of the emergency cited in the preamble, this Act takes effect when approved.

SUMMARY

This bill clarifies that a person may connect to a sewer of the Waldoboro Utility District upon obtaining a permit from the trustees of the district and upon payment of an entrance charge. The bill also clarifies that it is the place of residence of the voter who signs the nomination petition and not the candidate's place of residence that is required on the petition. The bill provides for establishing reserve accounts for any surplus revenue remaining after all expenses of the district have been paid.