

MAINE STATE LEGISLATURE

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124th MAINE LEGISLATURE

FIRST REGULAR SESSION-2009

Legislative Document

No. 1494

H.P. 1050

House of Representatives, June 11, 2009

**An Act To Amend the Charter of the Limestone Water and Sewer
District**

(AFTER DEADLINE)

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. MacFarland
MILLCENT M. MacFARLAND
Clerk

Presented by Representative MARTIN of Eagle Lake.
Cosponsored by Senator JACKSON of Aroostook and
Representative: AYOTTE of Caswell.

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

2 **Sec. 1. P&SL 1957, c. 59, §8-A, sub-§§1 and 2,** as enacted by P&SL 2009, c.
3 5, §1, is amended to read:

4 **1. Composition of wastewater facility board.** The wastewater facility board
5 consists of the 3 members of the board of trustees and 2 appointed members. One
6 appointed member must be appointed by the trustees of the Loring Development
7 Authority of Maine, and one appointed member must be a member of the Limestone
8 Board of Selectpeople appointed by the selectpeople. The 2 appointed members serve
9 without compensation and serve at the pleasure of their appointing entities and may be
10 removed without cause by their appointing entities at any time. An appointed member
11 who serves on the wastewater facility board is not eligible to serve as an officer of the
12 elected board of trustees.

13 **2. Function of wastewater facility board.** Whenever the board of trustees takes up
14 matters concerning the management and oversight of the Greater Limestone Wastewater
15 Treatment Facility, the board of trustees shall sit as the wastewater facility board. At such
16 times, the appointed members of the wastewater facility board are entitled to sit with the
17 board of trustees and to speak and vote on those matters specifically relating to the
18 Greater Limestone Wastewater Treatment Facility, ~~including, but not limited to,~~ The
19 jurisdiction of the wastewater facility board is limited to the operation and maintenance
20 of that facility, compliance with environmental regulations applicable to that facility, rate
21 changes and changes in the terms and conditions of wastewater service provided by the
22 district to the Loring Development Authority of Maine. All other affairs of the district,
23 including the authority to borrow money, to issue bonds and notes and to appropriate and
24 expend funds remain vested in the board of trustees, duly elected pursuant to section 8.

25 **Sec. 2. P&SL 1957, c. 59, §12, first sentence,** as amended by P&SL 2009, c. 5,
26 §2, is further amended to read:

27 For accomplishing the purposes of this Act, the district, through ~~its~~ the trustees, who
28 are elected, is authorized to borrow money temporarily in an amount not to exceed
29 \$8,000,000, and to issue for the borrowing of money the interest-bearing negotiable notes
30 of the district and for the purpose of refunding the indebtedness so created, of paying any
31 necessary expenses and liabilities incurred under this Act, including the expenses
32 incurred in the creation of the district, in reimbursing the town, in acquiring the
33 properties, privileges and franchises of the Limestone Water and Sewer Company, its
34 successors or assigns, by purchase or otherwise, of securing sources of supply, taking
35 water and land, paying damages, laying pipes, constructing and maintaining and
36 operating a water, sewerage and drainage system, and making extensions, additions and
37 improvements to the same, the district through ~~its~~ the trustees, who are elected, may from
38 time to time issue bonds of the district to an amount necessary in the judgment of the
39 trustees for the issuance of bonds, maturing at one time or in uniform or varying
40 installments with or without call provisions and at or without any premium.

SUMMARY

This bill prohibits a person from serving as an officer of the elected board of trustees of the Limestone Water and Sewer District if that person serves on the Greater Limestone Wastewater Treatment Facility Board.

The bill also limits the jurisdiction of the wastewater facility board to the operation and maintenance of the facility, compliance with environmental regulations applicable to that facility, rate changes and changes in the terms and conditions of wastewater service provided by the district to the Loring Development Authority of Maine. It also clarifies that the trustees, who are elected, remain vested with authority over all other affairs of the district, including the authority to borrow money and issue bonds in the name of the district.