

MAINE STATE LEGISLATURE

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Date: 6/11/15

(Filing No. H-399)

ENERGY, UTILITIES AND TECHNOLOGY

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
127TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 887, L.D. 1309, Bill, "An Act To Create the Central Maine Water District"

Amend the bill by striking out all of section 7 and inserting the following:

Sec. 7. Debt limit. Notwithstanding the Maine Revised Statutes, Title 35-A, section 6413, the debt limit on the total amount of all bonds, notes and other evidences of indebtedness payable within a period of more than 12 months issued by the district is \$20,000,000. This debt limit may be amended by the legal voters in a districtwide referendum election called for that purpose pursuant to Title 35-A, section 6413.

Amend the bill by striking out all of section 10 and inserting the following:

Sec. 10. Referendum; effective date. This Act takes effect when approved only for the purpose of permitting its submission to the legal voters within the proposed district described in section 1 of this Act in accordance with this section. Each election must be held on the same date in all municipalities within a 2-year period after the effective date of this Act.

In a districtwide election held in each municipality within the territory of the proposed district, the following question, referred to in this section as "Question 1," must be submitted to the voters within the proposed district:

"Do you favor creating the Central Maine Water District and permitting the Central Maine Water District to acquire the assets and assume the liabilities of the Hallowell Water District and the Gardiner Water District?"

In an election held only in the City of Hallowell, the following question, referred to in this section as "Question 2," must be submitted to the voters within the proposed district within the City of Hallowell:

"If the Central Maine Water District is created, do you favor the Hallowell Water District turning over its assets and liabilities to the

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COMMITTEE AMENDMENT "A" to H.P. 887, L.D. 1309

1 Central Maine Water District and eventually dissolving as a corporate
2 entity?"

3 In an election held only in the City of Gardiner, the following question, referred to in
4 this section as "Question 3," must be submitted to the voters within the proposed district
5 within the City of Gardiner:

6 "If the Central Maine Water District is created, do you favor the Gardiner
7 Water District turning over its assets and liabilities to the Central Maine
8 Water District and eventually dissolving as a corporate entity?"

9 Each election must be called by the municipal officers of the respective
10 municipalities and must be held at the regular voting places. Even if each municipality
11 has not accepted the secret ballot method of voting, the election must be called,
12 advertised and conducted according to the law relating to municipal elections, including
13 the Maine Revised Statutes, Title 30-A, section 2528. The registrar of each municipality
14 in the proposed district shall make a complete list of all the eligible voters of the proposed
15 district in the municipality as described in this Act. For the purpose of the registration of
16 voters, the registrar of voters must be in session the secular day preceding the election.
17 The voters shall indicate by a cross or check mark placed against the word "Yes" or "No"
18 their opinion of the question presented.

19 The results must be declared by the municipal officers of each municipality and due
20 certificate of the results filed by each municipal clerk with the Secretary of State.

21 This Act takes effect for all other purposes only upon the approval of all of the 3
22 questions specified in this section by a majority of the legal voters voting at each election
23 as specified in this section and upon certification by the Secretary of State that a majority
24 of all the legal voters in all the municipalities voting at the election in the territory of the
25 proposed district voted in favor of Question 1; a majority of the legal voters voting at the
26 election in the City of Hallowell voted in favor of Question 2; and a majority of the legal
27 voters voting at the election in the City of Gardiner voted in favor of Question 3.'

28 **SUMMARY**

29 This amendment removes from the bill provisions restricting the decision to form the
30 Central Maine Water District and have it acquire the assets and liabilities of the Hallowell
31 Water District and the Gardiner Water District to the legal voters of municipalities in
32 which 25% or more of the households would be customers of the proposed district and
33 replaces them with provisions extending the decision to so vote to all the legal voters of
34 the proposed district. It also provides for 2 additional referendum questions: one for the
35 voters in the City of Hallowell to vote whether to permit the Hallowell Water District to
36 turn over its assets and liabilities to the Central Maine Water District and eventually
37 dissolve as a corporate entity and one for the voters in the City of Gardiner to vote
38 whether to permit the Gardiner Water District to turn over its assets and liabilities to the
39 Central Maine Water District and eventually dissolve as a corporate entity. It requires
40 that all 3 questions must be voted affirmatively for the Central Maine Water District to be

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formed. It also changes the charter to require a districtwide referendum to increase the district's debt limit.

FISCAL NOTE REQUIRED
(See attached)

COMMITTEE AMENDMENT



Approved: 06/05/15 *MAC*

127th MAINE LEGISLATURE

LD 1309

LR 1362(02)

An Act To Create the Central Maine Water District

Fiscal Note for Bill as Amended by Committee Amendment 'A' (H-399)

Committee: Energy, Utilities and Technology

Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - General Fund
Minor revenue increase - General Fund

Correctional and Judicial Impact Statements

Establishes new Class E crimes for certain damages to district property.

The collection of additional fines may also increase General Fund revenue by minor amounts.