

MAINE STATE LEGISLATURE

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131st MAINE LEGISLATURE

FIRST SPECIAL SESSION-2023

Legislative Document

No. 1933

H.P. 1241

House of Representatives, May 15, 2023

An Act to Increase the Debt Limit of the Limerick Water District

(AFTER DEADLINE)

(EMERGENCY)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

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

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT

Clerk

Presented by Representative WOODSOME of Waterboro.
Cosponsored by Senator: LIBBY of Cumberland.

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

3 **Whereas,** this legislation must take effect before the expiration of the 90-day period
4 in order to allow the Limerick Water District to make timely investments to provide water
5 treatment; and

6 **Whereas,** in the judgment of the Legislature, these facts create an emergency within
7 the meaning of the Constitution of Maine and require the following legislation as
8 immediately necessary for the preservation of the public peace, health and safety; now,
9 therefore,

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

11 **Sec. 1. P&SL 1957, c. 219, §10,** as amended by P&SL 1997, c. 75, §§1 and 2, is
12 further amended to read:

13 **Sec. 10. Authorized to borrow money, to issue bonds and notes.** For
14 accomplishing the purposes of this act, and for such other expenses as may be necessary
15 for the carrying out of said purposes, the district, through its trustees, without district vote,
16 is authorized to borrow money temporarily and to issue therefor its negotiable notes, and
17 for the purpose of renewing and refunding the indebtedness so created, of paying any
18 necessary expenses and liabilities incurred under the provisions of this act, including
19 organizational and other necessary expenses and liabilities whether incurred by the district
20 or the Town of Limerick, the district being authorized to reimburse the Town of Limerick
21 for any such expenses incurred by it, and in acquiring properties, paying damages, laying
22 pipes, mains, aqueducts and conduits, constructing, maintaining and operating a water plant
23 or system and making renewals, additions, extensions and improvements to the same, and
24 to cover interest payments during the period of construction, the district, through its
25 trustees, without district vote, is also authorized to issue, from time to time, bonds, notes
26 or other evidences of indebtedness of the district in one series, or in separate series, in such
27 amount or amounts, bearing interest at such rate or rates, and having such terms and
28 provisions as the trustees ~~shall may~~ determine; ~~provided except~~ that the total indebtedness
29 of the district at any one time outstanding may not exceed the sum of \$1,000,000
30 \$2,000,000. Said bonds, notes and evidences of indebtedness may be issued to mature
31 serially or made to run for such periods as the trustees may determine, but none of them
32 ~~shall may~~ run for a longer period than 40 years from the date of original issue thereof.
33 Bonds, notes or evidences of indebtedness may be issued with or without provision for
34 calling the same prior to maturity, and if callable may be made callable at par or at such
35 premium as the trustees may determine. All bonds, notes or other evidences of
36 indebtedness ~~shall must~~ have inscribed upon their face the words "Limerick Water
37 District"; ~~shall and must~~ be signed by the treasurer and countersigned by the ~~chairman chair~~
38 of the board of trustees of the district, and if coupon bonds are issued, the interest coupons
39 attached thereto ~~shall must~~ bear the facsimile signature of the treasurer. All such bonds,
40 notes and evidences of indebtedness so issued by the district ~~shall be~~ are legal obligations
41 of the district, which is hereby declared to be a quasi-municipal corporation within the
42 meaning of the Revised Statutes of 1954, chapter 53, section 137, and chapter 90-A, section
43 23, as enacted by the public laws of 1957, chapter 405, section 1, and all the provisions of
44 said sections ~~shall be~~ are applicable thereto. The said district may refund and reissue, from
45 time to time, in one or in separate series, its bonds, notes and other evidences of

1 indebtedness, and each authorized issue ~~shall constitute~~ constitutes a separate loan. All
2 bonds, notes and evidences of indebtedness issued by said district ~~shall be~~ are legal
3 investments for savings banks in the State of Maine and ~~shall be~~ are tax exempt.

4 Notwithstanding any other provision of this section, the district, through its trustees,
5 may issue bonds, notes or other evidences of indebtedness in amounts exceeding
6 ~~\$1,000,000~~ \$2,000,000 at any one time if a greater debt limit is established by referendum
7 in accordance with the Maine Revised Statutes, Title 35-A, section 6413. The district may
8 not have outstanding at any one time bonds, notes or other evidences of indebtedness in
9 amounts exceeding any debt limit established by referendum in accordance with Title 35-A,
10 section 6413.

11 **Emergency clause.** In view of the emergency cited in the preamble, this legislation
12 takes effect when approved.

13 **SUMMARY**

14 This bill increases, from \$1,000,000 to \$2,000,000, the debt limit of the Limerick Water
15 District.