

MAINE STATE LEGISLATURE

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NINETY - EIGHTH LEGISLATURE

Legislative Document

No. 1048

H. P. 766

House of Representatives, February 28, 1957

Received by unanimous consent. Referred to the Committee on Public Utilities. Sent up for concurrence and ordered printed.

HARVEY R. PEASE, Clerk

Presented by Mr. Rowe of Limerick.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FIFTY-SEVEN

AN ACT Amending the Charter of the Limerick Sewerage District.

Emergency preamble. Whereas, the purpose of this legislation is to enable the Limerick Sewerage District to obtain a mortgage from a bank or banks for the purpose of financing the district; and

Whereas, the district is unable to obtain such mortgage without the acceptance of this act by the voters of the town of Limerick; and

Whereas, this money is urgently needed and immediately necessary for repairs and improvements to the property of the district; and

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 necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. P. & S. L., 1955, c. 195, § 5, amended. Section 5 of chapter 195 of the private and special laws of 1955 is hereby amended by adding thereto a new paragraph, to read as follows:

'In addition to the officers set forth in this section, the chairman of the board of selectmen of the town of Limerick and the health officer of the town of Limerick shall be ex officio members of the board of trustees, with all the powers vested in them as are delegated to a regularly elected member of said board.'

Sec. 2. P. & S. L., 1955, c. 195, § 11, additional. Chapter 195 of the private and special laws of 1955 is hereby amended by adding thereto a new section, to be numbered 11, to read as follows:

'Sec. 11. Powers of the town of Limerick. If district funds for the acquisition, construction, improvement, maintenance and extension of the facilities of the district and the operation of the district are not sufficient therefor, articles may be inserted in the town warrant for any town meeting of the town of Limerick and appropriations made for such purposes. Such appropriations shall be expended under the supervision of the trustees of said district, and such improvements and extensions shall be the property of said district.'

Emergency clause; referendum; certificate to Secretary of State. In view of the emergency cited in the preamble, this act shall take effect when approved, only for the purpose of permitting its submission to the legal voters of the territory embraced within the limits of said district, present and voting at a special meeting called and held for the purpose or at an annual town meeting of the town of Limerick. Such special meeting or annual town meeting shall be held not later than 60 days after the effective date of this act. In the event a special meeting is called, it shall be called, advertised and conducted according to the law relating to municipal elections; provided, however, that the board of registration in said town of Limerick shall not be required to prepare, nor the town clerk to post, a new list of voters, and for the purpose of registration of voters, said board shall be in session the 3 secular days next preceding such special meeting, the first and 2nd days thereof to be devoted to registration of voters and the last day to enable the board to verify the corrections of said lists and to complete and close up their records of said sessions. The town clerk shall prepare the required ballots, on which he shall reduce the subject matter of this act to the following question: "Shall the Act Amending the Charter of the Limerick Sewerage District, as passed by the 98th Legislature, be accepted?" and the voters shall indicate by a cross or check mark placed against the words "Yes" or "No" their opinion of the same. This act shall take effect for all the purposes hereof immediately upon its acceptance by a majority of the legal voters voting at said meeting; provided the total number of votes cast for and against the acceptance of this act at said meeting equals or exceeds 20% of the total vote for all candidates for Governor cast in said town at the next previous gubernatorial election.

The result of the vote shall be declared by the municipal officers of the town of Limerick and due certificate thereof filed by the town clerk with the Secretary of State.