

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**

**ONE HUNDRED AND EIGHTEENTH LEGISLATURE**

**SECOND REGULAR SESSION**  
**January 7, 1998 to March 31, 1998**

**SECOND SPECIAL SESSION**  
**April 1, 1998 to April 9, 1998**

**THE GENERAL EFFECTIVE DATE FOR**  
**SECOND REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**JUNE 30, 1998**

**SECOND SPECIAL SESSION**  
**NON-EMERGENCY LAWS IS**  
**JULY 9, 1998**

**PUBLISHED BY THE REVISOR OF STATUTES**  
**IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,**  
**TITLE 3, SECTION 163-A, SUBSECTION 4.**

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**J.S. McCarthy Company**  
**Augusta, Maine**  
**1997**

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

**Sec. 1. P&SL 1997, c. 18, §2** is repealed and the following enacted in its place:

**Sec. 2. P&SL 1963, c. 146, §17**, as amended by P&SL 1963, c. 216, §1; P&SL 1987, c. 98, §2 and P&SL 1989, c. 2, §2, is repealed and the following enacted in its place:

**17. Authorized to borrow money to issue bonds and notes.** For accomplishing the purposes of this Act, the district, by resolutions of its board of trustees, without district vote, is authorized to borrow money temporarily and to issue for the money its negotiable notes, and for the purpose of renewing and refunding the indebtedness so created, of paying any necessary expenses and liabilities incurred under the provisions of this Act, including organizational and other necessary expenses and liabilities incurred by the district or the Town of Waldoboro, the district being authorized to reimburse the Town of Waldoboro for any such expense incurred or paid by the town, and in acquiring properties, paying damages, laying sewers, drains and conduits, constructing, maintaining and operating a sewage plant or system and making renewals, additions, extensions and improvements to them, and to cover interest payments during the period of construction, the Waldoboro Utility District, by resolutions of its board of trustees, without district vote, is also authorized to issue from time to time, bonds, notes or other evidences of indebtedness of the district in one series or in separate series, in such amount or amounts, bearing interest at such rate or rates, and having such terms and provisions as the trustees shall determine; except that the total indebtedness of the district at any one time outstanding may not exceed the sum of \$2,000,000 and that any single expenditure that exceeds \$100,000 must be approved by district vote. The bonds, notes and evidences of indebtedness may be issued to mature serially or made to run for such periods as the trustees may determine, but the bonds, notes and evidences of indebtedness may not run for a longer period than 40 years from the date of original issue of the bonds, notes and evidences of indebtedness. Bonds, notes or evidences of indebtedness may be issued with or without provision for calling them prior to maturity and, if callable, may be made callable at par or at such premium as the trustees may determine. All bonds, notes and evidences of indebtedness must have inscribed upon their face the words "Waldoboro Utility District," and be signed by the treasurer and countersigned by the chair of the board of trustees of the district and, if coupon bonds are issued, the interest coupons attached to the coupon bonds must bear the facsimile of the signature of the treasurer. All bonds, notes and evidences of indebtedness issued by the district are legal obligations of the district, which is a quasi-

municipal corporation as defined in the Maine Revised Statutes, Title 30-A, section 2351, and all provisions of that section are applicable. The district may issue in one series or in separate series, its bonds, notes and evidences of indebtedness, for the purpose of paying, redeeming or refunding outstanding bonds, notes or evidences of indebtedness, and each authorized issue constitutes a separate loan. All bonds, notes and evidences of indebtedness issued by the district are legal investments for savings banks in the State and are tax-exempt. The district is authorized and empowered to enter into agreements with the State or Federal Government, or any agency of either, or any corporation, commission or board authorized by the State or Federal Government to grant or loan money to or otherwise assist in the financing of projects such as the district is authorized to carry out and to accept grants and borrow money from any government agency, corporation, commission or board as may be necessary or desirable to enforce this Act.

**Sec. 2. P&SL 1997, c. 18, §3** is amended by amending the question to read:

"Do you favor amending the Waldoboro Utility District charter by changing the debt limit of the district from \$1,000,000 to \$2,000,000 and removing the requirement that any single expenditure in excess of \$100,000 be approved by district vote?"

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

Effective March 5, 1998.

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## CHAPTER 61

H.P. 1361 - L.D. 1912

### An Act to Amend the Charter of the Guilford-Sangerville Water District to Increase the Bond Authorization

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

**Whereas**, the Guilford-Sangerville Water District needs to build a new reservoir; and

**Whereas**, the present borrowing capacity of the district is not large enough to finance the project; and

**Whereas**, it is essential that the work be completed as soon as possible to be in compliance with an order issued by the Department of Human Services; 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&SL 1977, c. 98, §9, first sentence** is amended to read:

For accomplishing the purposes of this Act, the water district, through its trustees, is authorized to borrow money temporarily and to issue ~~therefor~~ for that purpose negotiable notes of the district, and for the purpose of refunding the indebtedness ~~so~~ created, for paying any necessary expenses and liabilities incurred under the provisions of this Act, including the expenses incurred in the creation of a district, in securing sources of supply, taking water and land, paying damages, taking rights-of-way or other interests in real estate, by purchase or otherwise, laying pipes, aqueducts and mains, constructing, installing, maintaining and operating reservoirs, standpipes, dams, pumping stations and whatever equipment may be necessary or incidental to the construction and installation of that system of water works and making renewals of or extensions, additions and improvements to the same, the district by votes of its board of trustees, without district vote except as ~~hereinafter~~ in this Act, is also authorized to issue, from time to time, bonds, notes or other evidences of indebtedness of the district and to make subsequent renewals of the bonds, notes or other evidences of indebtedness in the amount or amounts, not exceeding the sum of ~~\$1,500,000~~ \$1,700,000 outstanding at any one time, bearing interest at such rate or rates, and having such terms and provisions as the trustees ~~shall~~ determine; ~~provided except~~ that in the case of a vote by the trustees to authorize bonds or notes to pay for the acquisition of property, for the cost of a water system or part ~~thereof~~ of a water system, for renewal or additions or for other improvements in the nature of capital costs, the estimated cost of which, singly or in the aggregate included in any one financing is \$30,000 or more, or for renewing or refunding existing indebtedness, notice of the proposed debt and of the general purpose or purposes for which it was authorized ~~shall~~ must be given by the clerk by publication at least once in a newspaper having a general circulation in the Town of Guilford and the Town of Sangerville.

**Sec. 2. P&SL 1977, c. 98, §9**, is amended by inserting after the first paragraph a new paragraph to read:

Notwithstanding any other provision of this section, the district, through its trustees, may issue bonds, notes or other evidences of indebtedness in amounts exceeding \$1,700,000 at any one time if a greater debt limit is established by referendum in accordance with the Maine Revised Statutes, Title 35-A, section 6413. The district may not have outstanding at any one time bonds, notes or other evidences of indebtedness in amounts exceeding any debt limit established by referendum in accordance with Title 35-A, section 6413.

**Sec. 3. Emergency clause; referendum; effective date.** In view of the emergency cited in the preamble, this Act takes effect when approved, except that section 1 of this Act takes effect only for the purpose of permitting its submission to the legal voters within the Guilford-Sangerville Water District by December 31, 1998. The election must be called, advertised and conducted according to the law relating to municipal elections, except that the registrars of voters in the Town of Guilford and the Town of Sangerville are not required to prepare or the clerks to post a new list of voters. For the purposes of registration of voters, the registrars of voters in the Town of Guilford and the Town of Sangerville must be in session the secular day preceding the election. The subject matter of section 1 must be reduced to the following question:

"Do you favor increasing the debt limit of the Guilford-Sangerville Water District from \$1,500,000 to \$1,700,000?"

The voters shall indicate by a cross or check mark placed against the word "Yes" or "No" their opinion of the same.

The results must be declared by the municipal officers of the Town of Guilford and the Town of Sangerville and due certificate of the results filed by the town clerks with the Secretary of State.

This Act takes effect for all purposes immediately upon its approval by a majority of the legal voters voting at the election. Failure to achieve the necessary approval in any referendum does not prohibit subsequent referenda consistent with this section, provided the referenda are held prior to December 31, 1998.

Effective pending referendum, unless otherwise indicated.

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