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ENERGY, UTILITIES AND TECHNOLOGY

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STATE OF MAINE HOUSE OF REPRESENTATIVES 132ND LEGISLATURE FIRST SPECIAL SESSION

COMMITTEE AMENDMENT “ ” to H.P. 193, L.D. 293, “An Act to Eliminate the Debt Limit of the Boothbay Region Water District”

Amend the bill by striking out the title and substituting the following:

'An Act to Increase the Debt Limit of the Boothbay Region Water District'

Amend the bill by striking out everything after the enacting clause and inserting the following:

'Sec. 1. P&SL 2001, c. 15, §6 is amended to read:

Sec. 6. Borrowing. Notwithstanding the Maine Revised Statutes, Title 35-A, section 6412, subsections 1 and 2 and section 6413, the district, in order to accomplish the purpose of this Act, by vote of its board of trustees and without district vote, is authorized to borrow money, including temporary borrowing, for the purposes of acquisition and renovation of the Boothbay Harbor Water System and the East Boothbay Water District system, of renewing and refunding the indebtedness of water-related notes or bonds of the Town of Boothbay Harbor and the East Boothbay Water District, of paying necessary expenses and liabilities incurred under this Act, and of acquiring properties; paying damages; laying pipes, mains, sewers, drains and conduits; purchasing, constructing, maintaining and operating a water system; and making renewals, additions, extensions and improvements to that system, and is authorized to issue, from time to time, bonds, notes or other evidences of indebtedness of the district in such amount or amounts, bearing interest at such rate or rates and having such terms and provisions as the trustees determine. In the case of a vote by the trustees after acquisition and renovation of the Boothbay Harbor Water System and the East Boothbay Water District system to authorize bonds or notes to pay for the acquisition of property, the cost of a water system or part of a water system, renewals 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 \$500,000 or more, but not for renewing or refunding existing indebtedness or to pay for maintenance, repairs or current expenses, notice of the proposed debt and of the general purpose or purposes for which it was authorized must be given by the district by publication at least once in a

1 newspaper having a general circulation in the towns of Boothbay Harbor and Boothbay.
2 The total indebtedness outstanding of the district may not exceed the sum of \$12,000,000
3 \$19,000,000 at any one time or such other amount as may be established pursuant to this
4 section.

5 Notwithstanding the limitation on total indebtedness established in this section, the
6 trustees of the district may propose a different debt limit and submit that debt limit for
7 districtwide approval in a referendum held in accordance with this section. The referendum
8 must be called, advertised and conducted according to the law relating to municipal
9 elections, except that the registrar of voters is not required to prepare nor the clerk to post
10 a new list of voters. For the purpose of registering voters, the registrar of voters must be in
11 session on the regular workday preceding the election. The question presented must
12 conform to the following form:

13 "Do you favor changing the debt limit of the Boothbay Region Water District from
14 (insert current debt limit) to (insert proposed debt limit)?"

15 The voters shall indicate by a cross or check mark placed against the word "Yes" or
16 "No" their opinion on the question.

17 The results must be declared by the trustees and entered upon the district's records. Due
18 certificate of the results must be filed by the clerk with the Secretary of State.

19 A debt limit proposal becomes effective upon its acceptance by a majority of the legal
20 voters within the district voting at the referendum. Failure of approval by the majority of
21 voters voting at the referendum does not prevent subsequent referenda from being held for
22 the same purpose. The costs of referenda are borne by the district.

23 The total indebtedness of the district at any one time outstanding may not exceed the
24 sum approved by referendum.'

25 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section
26 number to read consecutively.

27 SUMMARY

28 This amendment replaces the bill. It increases the maximum debt limit for the
29 Boothbay Region Water District from \$12,000,000 to \$19,000,000.