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## **An Act To Amend the Charter of the Rumford-Mexico Sewerage District**

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

**Sec. 1. P&SL 1971, c. 79, §17, first ¶, 2nd sentence,** as enacted by P&SL 1971, c. 79, is amended to read:

The district trustees shall also determine the portion of the total sums to be raised for the calendar year and the amounts to be apportioned to the Town of Rumford and the Mexico Sewer District, the initial public users, and to any other municipal or quasi-municipal sewer, sewerage, sanitary or storm water system or district served by the district, referred to as subsequent public users.

**Sec. 2. P&SL 1971, c. 79, §17, 2nd ¶, first sentence,** as enacted by P&SL 1971, c. 79, is amended to read:

~~Said~~The total anticipated sums necessary for the operation and maintenance ~~shall be~~ is the total of sums required in any year for unfunded capital costs and financing costs plus costs of operation less funds on hand or in the judgment of the trustees to be received during ~~said~~that year from other than the Town of Rumford and Mexico Sewer District and any subsequent public users and available or to be available within ~~said~~that year to pay unfunded capital costs and financing costs or operating costs, as the case may be.

**Sec. 3. P&SL 1971, c. 79, §17, last ¶,** as enacted by P&SL 1971, c. 79, is amended to read:

If a surplus exists at the end of a calendar year, it may be transferred to a surplus or capital account ~~which shall~~that may not exceed \$25,000\$80,000 or 3%10% of the total sum apportioned in the prior calendar year to the Town of Rumford and Mexico Sewer District and subsequent public users, whichever is the larger. The trustees may add to the sinking fund, if any, so much of any excess over ~~said~~the limitations as they determine advisable, and any remainder ~~shall~~must be credited on an equitable basis against sums otherwise to be apportioned to the Town of Rumford, the Mexico Sewer District and any subsequent public users and any persons, firms or corporations other than ~~said~~the town and sewer district and any subsequent public users under contract to pay for the use of the district's facilities during the year as at the end of which ~~sue~~the surplus was so created.

**Sec. 4. P&SL 1971, c. 79, §18, first ¶,** as enacted by P&SL 1971, c. 79, is amended to read:

**Sec. 18. Apportionment of annual costs; annual apportionments; obligation to pay same.** The trustees shall annually apportion the amount determined under section 17 between the Town of Rumford and the Mexico Sewer District and any subsequent public users, sometimes collectively referred to as public users, on a basis established by vote of a majority of the trustees. In the absence of a basis being so established, the apportionment must be conducted on the following basis:

**Sec. 5. P&SL 1971, c. 79, §18, sub-§§1 and 2,** as enacted by P&SL 1971, c. 79, are amended to read:

1. Unfunded capital costs and financing costs of joint use facilities ~~shall~~must be apportioned in the ratio of the percentage of use capability of the district's facilities as between the Town of Rumford and Mexico Sewer District and any subsequent public user, as determined by the trustees upon the basis of engineering estimates to be prepared for the trustees of the use capability of the initial facilities, and of such additional facilities as may from time to time be installed and such other scientific data or opinion as the trustees ~~deem~~determine pertinent. Facilities that are not jointly used ~~shall~~must be paid for entirely by the community ~~which~~that they serve; and

2. Operating costs ~~shall~~must be apportioned according to the estimated use of the district's facilities to be made by the Town of Rumford and Mexico Sewer District and any subsequent public user until such facilities have been in operation for one calendar year as determined by the trustees. When such facilities ~~shall~~ have been in operation for a calendar year, the apportionment of operating costs thereafter ~~shall~~must be based upon the measured flow of waste water and sewage entering such facilities during the previous year from each public user. No flows from private users ~~shall~~may be considered in the flows used for this apportionment of costs. The operating costs for facilities that are not jointly used ~~shall~~must be paid entirely by the community ~~which~~that they serve.

**Sec. 6. P&SL 1971, c. 79, §18, last 2 ¶¶**, as enacted by P&SL 1971, c. 79, are amended to read:

The amount so apportioned for each public user ~~shall~~must, prior to February 1st in each year, be certified by the trustees to the assessors of the Town of Rumford and the trustees of Mexico Sewer District and the respective assessor and trustees of any subsequent public user. The assessors of the ~~Town of Rumford~~municipal public users without further vote shall include the amount so certified in those amounts to be annually raised by municipal tax or assessment. The trustees of ~~Mexico Sewer District~~the quasi-municipal public users shall include the amount so certified as a current expense ~~which shall~~that must be paid from the sewer rates ~~fixed pursuant to Private and Special Laws 1957, chapter 156, and any amendments thereto~~of each quasi-municipal public user. The respective treasurers of ~~said town and district~~those public users shall pay the amount so certified to the treasurer of the district in 4 substantially equal installments on or before March 1st, June 1st, September 1st and December 1st of that year.

~~The Town of Rumford~~Each municipal public user may raise all or a portion of the amounts certified annually by the district through equitable and proportional charges against its inhabitants, corporations and other users of its sewerage system and ~~said town~~the municipal public user and Mexico Sewer District ~~shall~~the quasi-municipal public users have in addition to any other authority granted by law, the same authority and power with respect to the collection of sewer rents, fees and charges as are granted by the Maine Revised Statutes, Title 38, section 1208 to treasurers of sanitary sewer districts with respect to rates established and due under Title 38, section 1202 ~~of said Title 38~~.

**Sec. 7. P&SL 1971, c. 79, §19, first sentence**, as enacted by P&SL 1971, c. 79, is amended to read:

~~The Town of Rumford and Mexico Sewer District~~public users shall pay for services provided by the district through the payment of their proportioned shares under section 18.

**Sec. 8. P&SL 1971, c. 79, §19, last ¶**, as amended by PL 1975, c. 461, §31, is further amended to read:

Rates, tolls, rents and entrance charges by the district, ~~the Town of Rumford and the Mexico Sewer District shall~~ and the public users must be uniform within their respective territories except as provided in this section. Notwithstanding the foregoing sentence, the respective selectmen ~~of the Town of Rumford, the~~ and trustees of ~~Mexico Sewer District~~ the public users and the trustees of the district, as the case may be, may establish rates, tolls, rents or entrance charges higher than the regular rates, tolls, rents and entrance charges otherwise applicable whenever the cost of installation or maintenance of sewers or their appurtenances or the cost of service is or is expected to be substantially higher for a particular section or area the boundaries of which ~~shall~~ must be established after a public hearing, notice of which ~~shall~~ must be published at least 2 times in a newspaper having a circulation in the district, the first such publication to be not later than 14 days before the date of the hearing and the last such publication to be not later than 5 days before ~~said~~ the date of the hearing. In order to recover such portion or all of such higher cost of construction or maintenance, or the cost of service, ~~said~~ the selectmen, ~~trustees of Mexico Sewer District or trustees of the district,~~ as the case may be, shall first determine the added costs ~~which~~ that are fairly allocable to such section or area and the reasons ~~therefor~~ for the added costs. Any such higher rates, tolls, rents and entrance charges ~~shall~~ must be uniform throughout the sections or areas where they apply.

## SUMMARY

This bill updates and clarifies provisions of the charter of the Rumford-Mexico Sewerage District regarding the determination of actual apportionable costs, the apportionment of annual costs and rate charges.