

MAINE STATE LEGISLATURE

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FIRST SPECIAL SESSION

ONE HUNDRED AND SIXTH LEGISLATURE

Legislative Document

No. 2237

S. P. 781

In Senate, January 2, 1974

Referred to the Committee on Natural Resources. Sent down for concurrence and ordered printed.

HARRY N. STARBRANCH, Secretary

Presented by Senator Speers of Kennebec.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-FOUR

**AN ACT to Clarify the Powers of the Cobbossee Watershed District and
Providing Funds for the Acquisition of Dams.**

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

Sec. 1. P. & S. L., 1971, c. 95, § 1, repealed and replaced. Section 1 of chapter 95 of the private and special laws of 1971 is repealed and the following enacted in place thereof:

Sec. 1. Territorial limits; name; purposes. The territory and inhabitants therein for the Towns and Cities of Mount Vernon, Readfield, Winthrop, Wayne, Monmouth, Manchester, Litchfield, West Gardiner, Gardiner and Richmond are created a body corporate and politic under the name of "Cobbossee Watershed District" for the purpose of protecting, improving and conserving the lakes, ponds and other waterways within the territory of said district which comprise the Cobbossee watershed, so called, down to 100 feet below the New Mills dam, so called, all for the public health and welfare and for the benefit of said residents and of the property on, adjacent to or near said watershed, in the manner, with the rights, duties and immunities hereinafter in this Act set forth.

Sec. 2. P. & S. L., 1971, c. 95, § 2, amended. Section 2 of chapter 95 of the private and special laws of 1971, as amended by section 147 of chapter 544 of the public laws of 1971, is further amended to read as follows:

Sec. 2. Authority to contract and maintain. Within said territory said district is hereby authorized to acquire, construct, reconstruct, operate and repair dams and facilities in connection therewith; to control the level of the

water and to collect, hold and discharge the same; to improve the quality and purity of the water ~~by treatment~~; and in general, do any and all things incidental to accomplish the purposes of this Act.

Sec. 3. P. & S. L., 1971, c. 95, § 13, amended. The 7th sentence of section 13 of chapter 95 of the private and special laws of 1971, as repealed and replaced by section 149 of chapter 544 of the public laws of 1971, is repealed and the following enacted in place thereof:

The proportionate share of each such municipality shall be that proportion which the valuation of the area of the land and buildings in the municipality located within 600 feet of the shore of the major lakes, ponds and waterways of the watershed within said municipality bears to the total valuation of the said area in all the municipalities in the district as determined by the trustees. For the purposes of this section, the major lakes, ponds and waterways of the watershed shall be considered to be Torsey Pond, Lake Maranacook, Lake Cobbosseecontee, Pleasant Pond, Berry Pond, Dexter Pond, Cochnewagon Pond, Narrows Ponds, Little Cobbossee Pond, Wilson Pond and Cobbosseecontee Stream down to 100 feet below the New Mills Dam, so called.

Sec. 4. P. & S. L., 1971, c. 95, § 13, amended. The 11th sentence of section 13 of chapter 95 of the private and special laws of 1971, as repealed and replaced by section 149 of chapter 544 of the public laws of 1971, is amended to read as follows:

The trustees of the district shall initially and from time to time but at least every ~~3~~ 5 years, ascertain the valuation assigned to each municipality by determining the fair value of the land and buildings in the designated areas of each municipality in the district.

Sec. 5. P. & S. L., 1971, c. 95, amended. The last paragraph of chapter 95 of the private and special laws of 1971 is amended to read as follows:

This Act shall take effect for all the purposes hereof immediately upon acceptance by a majority of the municipalities voting at said meetings; but only if the total number of votes cast for and against the acceptance of this Act at any meeting of that majority of the municipalities equalled or exceeded 15% of the total vote for all candidates for Governor cast in said town at the next preceding gubernatorial election, but failure of approval of such meetings shall not prevent a subsequent meeting or meetings to be held for said purpose on or before April 1, ~~1973~~ 1975. If a town or city does not accept this Act, ~~the district shall not include the territory and inhabitants of said municipality and~~ said municipality shall pay no assessments and shall have no right to be represented by a trustee on the board. It shall however, have all the rights as though it had originally accepted this Act if it does so accept this Act before April 1, ~~1973~~ 1975. The result of the votes shall be declared by the municipal officers of the town or city and due certificate thereof shall be filed by the clerk with the Secretary of State.

Sec. 6. Appropriation. There is appropriated from the Unappropriated Surplus of the General Fund to the Cobbossee Watershed District the sum of \$20,000 for the acquisition and repair of dams within its jurisdiction.

STATEMENT OF FACT

The purpose of this bill is reflected in the title.