

MAINE STATE LEGISLATURE

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117th MAINE LEGISLATURE

FIRST REGULAR SESSION-1995

Legislative Document

No. 854

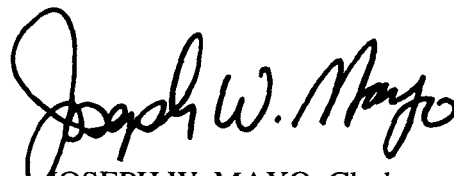
H.P. 629

House of Representatives, March 14, 1995

An Act to Amend the Charter of the Searsport Water District.

(EMERGENCY)

Reference to the Committee on Utilities and Energy suggested and ordered printed.


JOSEPH W. MAYO, Clerk

Presented by Representative WHITCOMB of Waldo.
Cosponsored by Senator: LONGLEY of Waldo.

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

4
6 **Whereas,** certain provisions of the charter of the Searsport
Water District are inadequate for the district to carry out its
functions, including supplying the customers served by the
8 district with safe and clean water; and

10 **Whereas,** undisputed access to groundwater lying principally
within the jurisdiction of the Searsport Water District is the
12 only impediment to providing its customers with safe and clean
water; and

14
16 **Whereas,** the charter of the Searsport Water District may not
give the district the right to draw groundwater that may lie, in
part, within the Town of Prospect; and

18
20 **Whereas,** the Searsport Water District can draw groundwater
from an existing well without affecting the existing users of
groundwater within the Town of Prospect or, if it ever does so,
22 the district has the capacity to provide these users with water;
and

24
26 **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
28 necessary for the preservation of the public peace, health and
safety; now, therefore,

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

34 **Sec. 1. P&SL 1947, c. 75, §2,** as amended by P&SL 1975, c. 61,
§1, is further amended to read:

36 **Sec. 2. Source of supply.** For effecting and carrying out the
purposes of its incorporation, the said district is hereby
38 authorized to take, hold, divert, use and distribute water from
any surface or underground brook, stream, spring, vein of water
40 or other water sources in the Towns of Searsport and Stockton
Springs, or from Boyd's Pond, also known as Half Moon Pond,
42 located in the Towns of Searsport and Prospect or from the
groundwater in an aquifer located within the Towns of Stockton
44 Springs and Prospect that is drawn from the district's existing
production well in the Town of Prospect.

46
48 **Emergency clause.** In view of the emergency cited in the
preamble, this Act takes effect when approved.

STATEMENT OF FACT

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This bill amends the charter of the Searsport Water District to allow the district to take water from the groundwater in an aquifer located within the Towns of Stockton Springs and Prospect.