

MAINE STATE LEGISLATURE

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118th MAINE LEGISLATURE

FIRST REGULAR SESSION-1997

Legislative Document

No. 1073

H.P. 785

House of Representatives, February 18, 1997

An Act to Create the Tenants Harbor Standard Water District.

(EMERGENCY)

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

A handwritten signature in cursive script that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative SKOGLUND of St. George.
Cosponsored by Senator PINGREE of Knox and
Representatives: BARTH of Bethel, BRENNAN of Portland, McELROY of Unity,
STEDMAN of Hartland, WATSON of Farmingdale.

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, there have been a number of private wells in the
Village of Tenants Harbor within the Town of St. George that have
been contaminated with hydrocarbons and this poses a serious
8 threat to the health and well-being of the inhabitants of the
area; and

10
12 Whereas, an adequate supply of pure water is essential to
the health and well-being of the inhabitants of the Village of
Tenants Harbor; and

14
16 Whereas, in the judgment of the Legislature, these facts
create an emergency within the meaning of the Constitution of
18 Maine and require the following legislation as immediately
necessary for the preservation of the public peace, health and
20 safety; now, therefore,

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

24 **Sec. 1. Territorial limits; corporate name.** Pursuant to the Maine
Revised Statutes, Title 35-A, section 6403, subsection 1,
26 paragraph B and subject to section 6, that part of the Town of
St. George described as follows: Beginning at a point at the
28 intersection of the northern corner of Lot 42 of Map 2 of the
Property Tax Maps of the Town of St. George, and the easterly
30 edge of Sea Street, thence southeast along the northerly border
of Lot 42 to the coast of the Atlantic Ocean, thence south and
32 west along the coast to the intersection of the easterly edge of
Route 131, thence westerly over Route 131 and along the waterway
34 to the southwestern corner of Lot 135 of Map 2, thence westerly
along the northern shore of the marsh bordering Lots 132, 134 and
36 135 of Map 2 to the intersection with the southerly edge of Watts
Avenue, thence westerly across Watts Avenue, 275 feet west into
38 Lot 66 of Map 13, thence northerly across Lots 66, 67 and 68 of
Map 13, running 275 feet north of and parallel to Watts Avenue,
40 Thence continuing southeasterly across Lots 13 and 14 of Map 27,
275 feet north of and parallel to Watts Avenue to the westerly
42 border of Lot 16 of Map 27, thence northerly to the intersection
of the northwest corner of Lot 16 and the southwest corner of Lot
44 22, thence easterly along the southerly border of Lot 22 to the
northeasterly corner of Lot 88 of Map 2, thence northeasterly to
46 the westerly border of Lot 88-1 of Map 2, thence to the northwest
corner of Lot 88-1, thence easterly along the northerly border of
48 Lot 88-1 to the intersection of the northeasterly corner of Lot
88-1, and the westerly edge of Route 131, thence across Route
50 131, thence northerly along the easterly edge of Route 131 to the
northwest corner of Lot 70 of Map 2, thence easterly along the
52 northern borders of Lots 70, 76 and 77-2 of Map 2, to the

2 intersection of the northerly edge of Spruce Lane, thence along
3 Spruce Lane southerly and easterly along the southerly edge of
4 Spruce Lane bordering Lots 56, 57 and 77 of Map 2, to the
5 intersection of the westerly edge of Sea Street, thence
6 diagonally in a straight line to the point at the beginning; and
7 its inhabitants constitute a standard district under the name
8 "Tenants Harbor Standard Water District" and referred to in this
Act as the "district."

10 **Sec. 2. Powers; authority; duties.** The district has all the
11 powers and authority and is subject to all the requirements and
12 restrictions provided in the Maine Revised Statutes, Title 35-,
13 chapter 64.

14 Pursuant to Title 35-A, section 6403, subsection 2,
15 paragraph H, the management and allocation of the district of a
16 contribution of funds by the State under Title 38, section 1364,
17 subsection 5, and the income from those funds, are not subject to
18 investigation or review by the Public Utilities Commission under
19 Title 35-A, section 310, 1302 or 1303, except upon request by the
20 Department of Environmental Protection.

22 Pursuant to Title 35-A, section 6403, subsection 2,
23 paragraph D, the district is authorized to take water from
24 anywhere within the legal boundaries of the Town of St. George.

26 **Sec. 3. Number of trustees; qualifications.** The board of trustees
27 of the district is composed of 3 trustees.

30 **Sec. 4. Election of first board.** The first board is elected in
31 an election called by the municipal officers of the Town of St.
32 George within 6 months of approval of this Act by the voters in
33 accordance with section 6.

34 **Sec. 5. Terms of trustees.** After the election of the first
35 board, trustees are elected to 3-year terms.

38 **Sec. 6. Emergency clause; referendum, effective date.** In view of
39 the emergency cited in the preamble, this Act takes effect when
40 approved only for the purpose of permitting its submission to the
41 legal voters within the territory described in section 1 of this
42 Act at an election called for that purpose and held by July 1,
43 1998. The election must be called, advertised and conducted
44 according to the law relating to municipal elections, except that
45 the registrar of voters is not required to prepare or the clerk
46 to post a new list of voters. For the purpose of registration of
47 voters, the registrar of voters must be in session the secular
48 day preceding the election. The subject matter of this Act is
reduced to the following question:

50 "Do you favor creating the Tenants Harbor Standard Water
51 District?"
52

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

4
6 The results must be declared by the municipal officers of
the Town of St. George and due certificate of the results filed
by the clerk with the Secretary of State.

8
10 This Act takes effect for all purposes immediately upon its
approval by a majority of the legal voters voting at the
12 election. Failure to achieve the necessary approval in any
referendum does not prohibit subsequent referenda consistent with
the section, provided the referenda are held prior to July 1,
14 1998.

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

18
20

SUMMARY

22 This bill creates the Tenants Harbor Standard Water District.