

MAINE STATE LEGISLATURE

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(EMERGENCY)

ONE HUNDRED AND FOURTH LEGISLATURE

Legislative Document

No. 501

H. P. 391

House of Representatives, January 29, 1969

Referred to Committee on Public Utilities. Sent up for concurrence and ordered printed.

BERTHA W. JOHNSON, Clerk

Presented by Mr. Rideout of Manchester.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-NINE

AN ACT Relating to Winthrop to Augusta Interlocal Trunk Sewer.

Emergency preamble. Whereas, the pollution of Lake Annabessacook and Lake Cobbosseecontee and nearby waters from domestic and industrial wastes from Winthrop constitutes a serious problem; and

Whereas, a trunk line sewer to pick up said wastes and to carry them for treatment into the treatment facilities of the Augusta Sanitary District prior to disposal of the effluent into the Kennebec River is a necessary project to cure this problem; and

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 necessary for the preservation of the public peace, health and safety; now, therefore,

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

P. & S. L., 1955, c. 139, § 21, additional. Chapter 139 of the private and special laws of 1955, as amended, is further amended by adding a new section 21, to read as follows:

Sec. 21. Winthrop to Augusta trunk sewer. Said district is authorized and empowered to lay, operate and maintain a sewer line from Winthrop to Augusta through Manchester and Hallowell, or either, in order to receive domestic and industrial wastes and sewerage from Winthrop and areas along said line and treat the same prior to discharge of the effluent into the Kennebec River at Augusta.

Said district is authorized and empowered to use any and all of its charter rights, powers and privileges for this purpose, and including without intend-

ing to be all inclusive, the right to acquire and hold real estate and personal estate necessary and convenient therefor; to take and hold by purchase, lease or the exercise of the right of eminent domain or otherwise any land or real estate or easement therein, within or outside the area of the district, necessary for forming basins, reservoirs and outlets, for erection of buildings for pumping works and sewage treatment, for laying pipes and maintaining the same, for laying and maintaining conduits and appurtenances for carrying and collecting, discharging and disposing of sewage matter and for other objects necessary, convenient and proper therefor; to establish through and by its commissioner regulations for the use of the sewers and fix and collect the prices to be paid for entering the same and the service charges for the use thereof; to enter into contract with persons, corporations or municipalities, within or outside the area of the district, including Winthrop Water District, the inhabitants of the Town of Manchester, the City of Hallowell and any quasi-municipal corporation or district formed or to be formed, to care for or treat sewage or drainage from laterals or otherwise through the district's system; to lay down, in and through the streets and highways, within or outside the area of the district, and to take up, replace and repair all such conduits, pipes and fixtures as may be necessary or desirable for said purpose; to carry and lay conduits and pipes under any water course, way, public or private, or railroad and to cross any water pipe, gas pipe, electric conduit, drain or sewer pursuant to this chapter; to make and file assessments and liens for the cost thereof; to issue notes and bonds through its commissioners without district vote in one series or in separate series from time to time and to make subsequent renewals of the same in whole or in part to provide for the financing thereof; to establish and collect rate and enforce the collection thereof by lien and otherwise; to apply for and receive state and federal loans, grants and other forms of aid; and in general to use any and all of its charter rights, powers and privileges along said line as though the same were solely within the area of the district.

Said Winthrop Water District, inhabitants of the Town of Manchester, City of Hallowell, any quasi-municipal corporation or district, formed or to be formed, and any other persons or corporations, are authorized and empowered to enter into contract with this district for sharing in the capital cost and operation and maintenance cost of said sewer line and any facilities in connection therewith, including facilities for secondary treatment of wastes and any laterals or other system that may connect to said line. The location of said line and the area to be served by it within the corporate limits of Winthrop shall be determined by contract between this district and Winthrop Water District. The location of said line within the corporate limits of Manchester or Hallowell, or both, shall be determined by contract between this district and such municipality acting through its municipal officers. Rates for service rendered by this district to said municipalities, quasi-municipal corporations, districts, persons or corporations shall be subject to the approval of the Public Utilities Commission.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.