

# MAINE STATE LEGISLATURE

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ONE HUNDRED AND SIXTH LEGISLATURE

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**Legislative Document**

**No. 568**

H. P. 419

House of Representatives, January 31, 1973

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

E. LOUISE LINCOLN, Clerk

Presented by Mr. Conley of South Portland.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-THREE

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**AN ACT to Amend the Charter of the Portland Water District.**

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

Whereas, the present sewage facilities are inadequate to serve the needs of the greater Portland area and a new and adequate sewage treatment and disposal service must be immediately constructed; and

Whereas, the City of South Portland elected not to become a participating municipality pursuant to chapter 95 of the private and special laws of 1969, but the Town of Cape Elizabeth elected to become a participating municipality; and

Whereas, the Portland Water District desires to contract with the City of South Portland for the treatment of all or a portion of the sewage of Cape Elizabeth; and

Whereas, it is imperative that action be taken at the earliest possible time to eliminate existing pollution and to prevent further pollution caused by the present inadequate sewage disposal facilities and to accomplish the necessary regional planning to complete the pollution abatement schedule for the region as established by the State of Maine and the United States Government; 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., 1969, c. 95, § 1, amended.** The 4th paragraph of section 1 of chapter 95 of the private and special laws of 1969, is amended to read as follows:

In addition to the operation of the waste water and sewage system, the district is also authorized to contract with persons, firms and corporations, ~~other than municipalities located within the Cities of Portland, South Portland and Westbrook, and the Towns of Cape Elizabeth, Cumberland, Falmouth, Gorham, Standish and Windham~~ including municipal corporations, upon such terms as may be agreed to manage, operate, construct and maintain waste water and sewage collection and treatment systems, although the city or town where the person, firm or corporation is located has not accepted the provisions of this Act.

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

#### STATEMENT OF FACT

The City of South Portland elected not to become a participating municipality within the Portland Water District for the purposes of handling and treating sewage. However, Cape Elizabeth did elect to become a participating municipality. Subsequently, it has become clear that it would be much more efficient for all or a portion of Cape Elizabeth's sewage to be treated in South Portland at the facilities owned and operated by South Portland. This amendment to the charter of the Portland Water District will authorize the Portland Water District to contract with municipal corporations, including the City of South Portland, for the purposes of managing and operating a sewage collection and treatment system.