

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
107TH LEGISLATURE

(Filing No. H-560)

COMMITTEE AMENDMENT "A " to H.P. 1345, L.D. 1802, Bill,  
"AN ACT to Codify the Charter of the Portland Water District."

Amend said Bill in the 2nd paragraph of paragraph B of section 2 by adding in the last line after the underlined word "date" the underlined words 'and such private waste water and sewage facilities as approved by the Board of Environmental Protection'

Further amend said Bill in section 2 by adding at the end of paragraph C after the word "Windham" in the last line, the following underlined words and punctuation: 'provided, however, that any treated waste the district discharges into the Presumpscot River shall be discharged at a point below the North Gorham dam, so called'

Further amend said Bill in section 3 by striking out all of the 2nd sentence of the 2nd paragraph and inserting in place thereof the following: 'Before the district constructs, maintains or operates any facilities in furtherance of the authority granted pursuant to section 2, paragraph C, within said watershed area, the district shall first obtain the approval of a majority of the legal voters at a referendum, provided that at least 20% of the registered voters who voted at the last gubernatorial election vote at such referendum, of each municipality to be served by such facilities, prior to the initial construction in any such municipality and municipalities.'

Further amend said Bill in section 11 by striking out all of the last sentence.

Further amend said Bill in section 12 by adding at the end of the 2nd paragraph the following underlined sentence: 'The participating municipalities shall be subject to the rules and regulations imposed as a condition of receipt of governmental grants and loans, as described in section 10.'

Further amend said Bill in section 13 by striking out all of the 3rd paragraph of subparagraph (2) of paragraph B.

Further amend said Bill by striking out all of section 20 and inserting in place thereof the following:

'Sec. 20. Payment in lieu of taxes to the Town of Gorham. The Portland Water District shall pay to the Town of Gorham in lieu of taxes annually the sum of \$2,150, said sum to be payable on or before October 1st of each year to the Municipal Treasurer of the Town of Gorham.'

Further amend said Bill by adding at the end before the Statement of Fact the following:

'Sec. 22. 1913 P&SL c. 157,<sup>\$2</sup> is amended by adding a new paragraph at the end to read:

'During daylight hours from June 15th to September 15th, residents of the Town of Standish shall have the right to cross the land of the Portland Water District bordering Sebago Lake outside the 2-mile limit referred to in and described in the paragraph above, to make reasonable use of the shoreline of said land for swimming and related recreational activities and to utilize parking areas on said lands to be designated by the trustees, provided that

the district shall not be liable for damages arising from the use of said lands by such persons. All costs which may be incurred by the district in carrying out the purposes of this paragraph, including but not limited to the construction of sanitary facilities for the use of said residents, shall be the responsibility of the Town of Standish. < ----- > The district shall not make any expenditures without the prior written approval of the municipal officers of Standish. Rights of access granted herein may be limited to such specific times and locations and by such reasonable regulations as may be determined by agreement between the trustees of the district and the municipal officers of the Town of Standish. The rights granted herein shall be in addition to any existing rights of access for fishing and other purposes and nothing contained herein shall be construed to limit such rights in any way.

#### Statement of Fact

The purpose of this amendment is to clarify certain provisions, reinstate in the Charter of the Portland Water District the obligation to make an annual payment to the Town of Gorham, delete the provision authorizing taxation upon default and to provide a right of access by foot to the residents of the Town of Standish to certain portions of Sebago Lake over property owned by the Portland Water District.

Reported by the Committee on Public Utilities.  
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