

MAINE STATE LEGISLATURE

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FIRST SPECIAL SESSION

ONE HUNDRED AND SEVENTH LEGISLATURE

Legislative Document

No. 1986

H. P. 1825

House of Representatives, January 19, 1976

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

EDWIN H. PERT, Clerk

Presented by Mr. Spencer of Standish.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-SIX

**AN ACT to Amend the Portland Water District Charter in Order to Comply
with General Law.**

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

P&SL 1907, c. 433, Sec. 12, first sentence, as last repealed and replaced by P&SL 1975, c. 84, is amended to read:

The fiscal year of the district for the waste water and sewage operations shall be the calendar year ending on December 31st, and the trustees shall, prior to January 15th of each year ~~in which any portion of the waste water and sewage system is in operation~~ determine the total anticipated amount to be raised from the participating municipalities based on the trustees' best estimate to provide for the ~~operation~~ **actual current cost as defined by Title 38, section 451-A, subsection 1, paragraph C** of the waste water and sewage system for that fiscal year and such amount shall be apportioned as provided in section 13.

STATEMENT OF FACT

Chapter 209 of the public laws of 1975 which affects Title 38, section 451-A, subsection 1, paragraph C of the Revised Statutes, provides for the Board of Environmental Protection to grant a variance to any municipality or quasi-municipality from the statutory water pollution abatement time schedule which states that the municipality or quasi-municipality must start collecting

beginning on October 1, 1976 the actual current cost of the system even before the system begins operation. Section 12 of the Charter of the Portland Water District provides that the district can make no charges until the system is in actual operation. Since the Portland Water District and the municipalities which it serves will have to apply to the Board of Environmental Protection for a variance, the provisions of the charter which are inconsistent with the general law must be amended so that the district can comply with the general law.