

MAINE STATE LEGISLATURE

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(EMERGENCY)
FIRST SPECIAL SESSION

ONE HUNDRED AND SEVENTH LEGISLATURE

Legislative Document

No. 2235

S. P. 708

In Senate, February 20, 1976

(Approved by a Majority of the Committee on Reference of Bills pursuant to Joint Order S. P. 635, as amended.) Referred to the Committee on Natural Resources. Sent down for concurrence and ordered printed.

HARRY N. STARBRANCH, Secretary

Presented by Senator Conley of Cumberland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-SIX

**AN ACT to Temporarily Exempt Property Owners on Islands in Casco Bay
from Certain Waste Discharge Compliance Requirements.**

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

Whereas, the mandatory waste discharge license requirements embodied in Title 38, Section 141-A, pose a severe hardship for Casco Bay Island residents; and

Whereas, compliance with waste discharge license requirements will necessitate the purchase and installation of costly private sewage treatment facilities for those residents; and

Whereas, the installation costs of private treatment facilities on islands are especially expensive because of the extra transportation costs associated with water transport of such facilities; and

Whereas, the average household income of Casco Bay Island residents is below the state average for Maine households; and

Whereas, these statutory waste discharge license requirements must be complied with by October 1, 1976; and

Whereas, a feasibility study and plan for the development of municipal sewerage treatment facilities in Casco Bay will be completed within 2 years; and

Whereas, the eventual construction of these facilities may eliminate the future need for installing private sewerage treatment facilities; and

Whereas, a temporary exemption from the applicable provisions of this statute for all island residents for a period of approximately 2 years is necessary to afford islanders of limited income additional time to finance the purchase and installation of private sewerage facilities; and

Whereas, a permanent exemption from the applicable provisions of this statute for island residents to be served by planned municipal sewerage facilities is also necessary; 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:

38 MRSA § 141-A, sub-§ 2, as amended by P.L. 1973, c. 788, § 210, is further amended by adding at the end the following new paragraphs:

Until December 31, 1978, this section shall not apply to discharges on or from property on any island in Casco Bay if that property is owned by a resident of that island.

This section shall not apply to discharges on or from any property located on an island in Casco Bay and in an area for which plans for the development of municipal sewerage facilities have been approved by the appropriate municipal officers, if that property is owned by a resident of that island.

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

STATEMENT OF FACT

The purpose of this Act is reflected in the emergency preamble.