

MAINE STATE LEGISLATURE

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(EMERGENCY)
SECOND REGULAR SESSION

ONE HUNDRED AND NINTH LEGISLATURE

Legislative Document

No. 1716

H. P. 1605

Office of the Clerk of the House

The Committee on Public Utilities suggested. Approved for introduction by the Legislative Council pursuant to Joint Rule 26.

Presented by Mr. Birt of East Millinocket.

EDWIN H. PERT, Clerk of the House

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY

AN ACT Clarifying the Authority of Municipalities to Acquire and Operate Water Systems.

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

Whereas, certain municipalities have previously acquired water systems; and

Whereas, other municipalities have an immediate need and intention to acquire and operate water systems; and

Whereas, the purchase of existing water companies or water systems by these municipalities is necessary to insure a continuing supply of pure wholesome water for the citizens of this State and a continuing source of water for fire protection for the safety of persons and property; and

Whereas, the purchase of existing water systems by municipalities will aid in obtaining grants and reduce the cost to the water users of compliance with the United States Safe Drinking Water Act, Public Law 93-523; 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:

Sec. 1. 30 MRSA § 5102, sub-§ 9 is enacted to read:

9. Water system. Providing for the acquisition, construction, reconstruction, improvement, extension, enlargement, equipment, repair, maintenance and operation of a water system or part thereof, within or without, or partly within and partly without, the corporate limits of the municipality.

Sec. 2. Validation. The raising or appropriation of money, including the issuance of bonds or notes, by the following municipalities, cities or towns for the acquisition, operation and maintenance of water systems, including their purchase of water companies is hereby expressly validated, ratified, confirmed and approved: City of Calais; Town of Southwest Harbor; Town of Island Falls; Town of Washburn; and Town of Fort Kent.

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

STATEMENT OF FACT

This bill is intended to make clear the authority of municipalities to appropriate money for the acquisition and operation of municipal water systems. Further, the bill validates 5 such acquisitions which have already occurred.