

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND TENTH LEGISLATURE

Legislative Document

No. 1054

H. P. 885

House of Representatives, February 26, 1981

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

EDWIN H. PERT, Clerk

Presented by Representative Livesay of Brunswick.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY-ONE

AN ACT Relating to the Provisions of the Charter of the Brunswick Sewer District.

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

Sec. 1. P&SL 1947, c. 77, § 1, as last amended by P&SL 1969, c. 21, is repealed and the following enacted in its place:

Sec. 1. Brunswick Sewer District created. The entire territory in the town of Brunswick with the inhabitants thereon is created a body politic and corporate by the name of Brunswick Sewer District, hereinafter called the district, for the purpose of providing and maintaining within the district a sewer system and suitable sewers, drains and sewage disposal plants, with all the rights, privileges and immunities incident to similar corporations, or necessary for the accomplishment of these purposes; provided that nothing contained in this chapter, as amended, shall be construed so as to vest the district with any duty of providing and maintaining catch basins or drainage of public ways.

Sec. 2. P&SL 1947, c. 77, § 6, 2nd sentence from the end, as amended by P&SL 1967, c. 88, is repealed and the following enacted in its place:

The compensation for each trustee shall be \$600 per year; the compensation for the treasurer shall be \$750 per year; and the compensation for the chairman shall be \$900 per year.

Sec. 3. P&SL 1947, c. 77, § 9-A, first sentence, as enacted by PL 1955, c. 68, § 1, is amended to read:

When the district has constructed and completed a public drain or common sewer, the trustees shall determine what lots or parcels of land are benefited by such drain or sewer, and shall estimate and assess upon such lots and parcels of land, and against the owner thereof, or person in possession, whether said person to whom the assessment is so made shall be the owner, tenant, lessee or agent, and whether the same is occupied or not, such sum not exceeding such benefit as they may deem just and equitable towards defraying the expenses of constructing and completing such drain or sewer, together with such sewage disposal units and appurtenances as may be necessary, ~~the whole of such assessments not to exceed 2/3 of the cost of such drain or sewer and sewage disposal units and the trustees may determine to participate in the financing of such assessments to the extent they deem appropriate.~~

Sec. 4. P&SL 1947, c. 77, § 9-C, 2nd sentence, as enacted by P&SL 1955, c. 68, § 1, is repealed and the following enacted in its place:

Such action shall be commenced in the same manner as other civil actions.

Sec. 5. P&SL 1947, c. 77, §§ 15 and 16 are enacted to read:

Sec. 15. Additional powers. The Brunswick Sewer District is authorized to enter into contracts with municipalities, other sewer districts or any other persons or entities for any purpose which is necessary to its treatment and disposal of sewage.

Sec. 16. Public hearings. The Brunswick Sewer District shall hold a public hearing prior to the extension of an existing sewer line the distance of 750 feet or more or the creation of a new sewer line the distance of 750 feet or more in length.

STATEMENT OF FACT

This bill: Enlarges the territory to be served by the Brunswick Sewer District to be that of the entire Town of Brunswick; increases the compensation of the sewer district trustees to a level somewhat more commensurate with the increased responsibilities of the district. This is the first such increase since 1967 and only the second since the district was established in 1947; eliminates the requirement that the district absorb 1/3 of the costs of extending a sewer line to benefit new users; brings the lien procedure into conformity with existing law; enlarges the district's contractual powers to do what is necessary to treat and dispose of its sewage; and requires the district to hold a public hearing before extending an existing or a new sewage line for a distance of 750 feet or more.