

# MAINE STATE LEGISLATURE

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# 114th MAINE LEGISLATURE

## SECOND REGULAR SESSION - 1990

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Legislative Document

No. 2393

H.P. 1734

House of Representatives, March 2, 1990

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27.

Reference to the Committee on Utilities suggested and ordered printed.

A handwritten signature in cursive script, reading "Ed Pert".

EDWIN H. PERT, Clerk

Presented by Representative MARTIN of Van Buren.

Cosponsored by Speaker MARTIN of Eagle Lake and Senator THERIAULT of Aroostook.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD  
NINETEEN HUNDRED AND NINETY

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An Act to Amend the Charter of the Van Buren Water District.

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(AFTER DEADLINE)

(EMERGENCY)



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

Whereas, this Act makes changes in the charter of the Van Buren Water District which must be made prior to April 1990 so that the Van Buren Water District will be able to proceed with financing and construction of a well system for the Town of Van Buren; and

Whereas, the present charter does not provide authorization for the Van Buren Water District to provide water by means of a well system; 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:

P&SL 1905, c. 316, §§2 and 3 are amended to read:

Section 2. Said water district is hereby authorized for the purposes aforesaid to take and hold sufficient water of the Violette brook stream and its tributaries and wells installed in the district, and may take and hold by purchase or otherwise any land or real estate necessary for erecting dams, power, reservoirs, wells, or for preserving the purity of the water and watershed and wells, and for laying and maintaining aqueducts for taking, discharging and disposing of water.

Section 3. Said water district shall be liable for all damages that shall be sustained by any person or corporation in their property by the taking of any land whatsoever, or water, or by flowage, or by excavating through any land for the purpose of laying pipes, building dams or constructing reservoirs or installing wells and water treatment facilities. If any person sustaining damage as aforesaid and said corporation shall not mutually agree upon the sum to be paid therefor, such person may cause his damages to be ascertained in the same manner and under the same conditions, restrictions and limitations as are or may be prescribed in the case of damages by the laying out of highways.

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

#### STATEMENT OF FACT

This bill authorizes the Van Buren Water District to provide water by means of a well system.