

MAINE STATE LEGISLATURE

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114th MAINE LEGISLATURE

SECOND REGULAR SESSION - 1990

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 that reads "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.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY

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

(AFTER DEADLINE)

(EMERGENCY)



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

4
Whereas, this Act makes changes in the charter of the Van
6 Buren Water District which must be made prior to April 1990 so
that the Van Buren Water District will be able to proceed with
8 financing and construction of a well system for the Town of Van
Buren; and

10
Whereas, the present charter does not provide authorization
12 for the Van Buren Water District to provide water by means of a
well system; and

14
Whereas, in the judgment of the Legislature, these facts
16 create an emergency within the meaning of the Constitution of
Maine and require the following legislation as immediately
18 necessary for the preservation of the public peace, health and
safety; now, therefore,

20
Be it enacted by the People of the State of Maine as follows:

22
P&SL 1905, c. 316, §§2 and 3 are amended to read:

24
Section 2. Said water district is hereby authorized for the
26 purposes aforesaid to take and hold sufficient water of the
Violette brook stream and its tributaries and wells installed in
28 the district, and may take and hold by purchase or otherwise any
land or real estate necessary for erecting dams, power,
30 reservoirs, wells, or for preserving the purity of the water and
watershed and wells, and for laying and maintaining aqueducts for
32 taking, discharging and disposing of water.

34
Section 3. Said water district shall be liable for all
damages that shall be sustained by any person or corporation in
36 their property by the taking of any land whatsoever, or water, or
by flowage, or by excavating through any land for the purpose of
38 laying pipes, building dams or, constructing reservoirs or
installing wells and water treatment facilities. If any person
40 sustaining damage as aforesaid and said corporation shall not
mutually agree upon the sum to be paid therefor, such person may
42 cause his damages to be ascertained in the same manner and under
the same conditions, restrictions and limitations as are or may
44 be prescribed in the case of damages by the laying out of
highways.

46
Emergency clause. In view of the emergency cited in the
48 preamble, this Act takes effect when approved.

50
STATEMENT OF FACT

52
This bill authorizes the Van Buren Water District to provide
54 water by means of a well system.