

MAINE STATE LEGISLATURE

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115th MAINE LEGISLATURE

FIRST REGULAR SESSION-1991

Legislative Document

No. 1574

H.P. 1080

House of Representatives, April 17, 1991

Reference to the Committee on Utilities suggested and ordered printed.

A handwritten signature in cursive script that reads "Ed Pert".

EDWIN H. PERT, Clerk

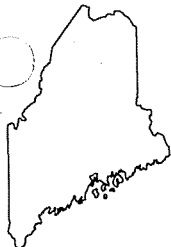
Presented by Representative FARNUM of South Berwick.
Cosponsored by Senator CARPENTER of York.

STATE OF MAINE

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

An Act to Revise the Charter of the South Berwick Water District.

(EMERGENCY)



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

Whereas, due to water contamination, some inhabitants of the Town of South Berwick do not have a supply of pure water; and

Whereas, it is necessary to revise the charter of the South Berwick Water District to enable the water district to distribute water to all the inhabitants of the Town of South Berwick; 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. P&SL 1959, c. 61, §1, 2nd¶, as amended by P&SL 1981, c. 12, §2, is repealed and the following enacted in its place:

The area comprising the South Berwick Water District is the same as the area comprising the Town of South Berwick together with an area of the Town of Berwick described as follows:

Sec. 2. P&SL 1959, c. 61, §1, 3rd ¶, as repealed and replaced by P&SL 1981, c. 12, §3, is amended to read:

~~Beginning at the junction of the South Berwick and Berwick town line with the Salmon Falls River; thence in a southerly direction by the Salmon Falls River to the junction of the Great Works River; thence in a southeasterly direction by the Great Works River to the Great Works Bridge, so called, at Brattle Street; thence running in a general northeasterly and northerly direction by and along the Great Works River to the intersection of the Great Works River and the Agamenticus Road, so called; thence turning and running by and along the Agamenticus Road in a general westerly and southerly direction to the marker which is 3,775 feet easterly from the junction of Portland Street and Agamenticus Road; thence northwesterly to the junction of Portland Street, called Route #4 and the Berwick - South Berwick town line; thence in a due northerly direction a distance of 3,500 feet; thence in a due westerly direction a distance of 2,800 feet; thence in a due southerly direction a distance of 4,000 feet, more or less, to the Berwick - South Berwick town line; thence in a westerly direction to the point of beginning.~~

Sec. 3. P&SL 1959, c. 61, §6, 3rd¶ is amended by adding at the end a new sentence to read:

2 In addition to the annual meeting of the district, the trustees
4 shall hold regular meetings of the board on the 2nd and 4th
6 Mondays of each month.

8 **Sec. 4. P&SL 1959, c. 61, §6, 4th ¶, last sentence, as amended by**
10 **P&SL 1981, c. 12, §6, is further amended to read:**

12 The trustees ~~as--such,~~ shall receive as compensation for their
14 services an amount ~~to be determined by them not to exceed \$300~~
16 ~~each per year;~~ not to exceed \$1,500 each per year to be paid at
18 the rate of \$62.50 per trustee meeting and the treasurer may be
20 allowed such compensation as the trustees shall determine.

22 **Sec. 5. P&SL 1959, c. 61, §7, last ¶ is amended to read:**

24 All persons resident in said the district and ~~qualified to~~
26 ~~vote for Governor under the laws of this State shall be~~ who are
28 ratepayers and water users of the district are entitled to vote
30 in any meeting of the district, including the meeting for
32 acceptance of this charter.

34 **Sec. 6. P&SL 1981, c. 12, §3, first 2 lines are repealed and the**
36 **following enacted in their place:**

38 **Sec. 3. P&SL 1959, c. 61, §1, 3rd ¶ is repealed and the following**
40 **enacted in its place:**

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

36 STATEMENT OF FACT

38 This bill makes some changes to the charter of the South
40 Berwick Water District. It extends the boundaries of the
42 district to include all of the Town of South Berwick. It
44 provides for a new rate of compensation for the district's
46 trustees. It requires 2 monthly meetings of the board of
48 trustees and enables all residents who are ratepayers and water
users of the district to vote in district meetings. The bill is
submitted as an emergency measure to enable the district to
provide water to district inhabitants who are now without a
supply of pure water. Finally, the bill makes a technical
correction to the amending language of Private and Special Law
1981, chapter 12, section 3, where provisions to the charter were
amended incorrectly.