

MAINE STATE LEGISLATURE

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122nd MAINE LEGISLATURE

SECOND REGULAR SESSION-2006

Legislative Document

No. 1736

H.P. 1244

House of Representatives, January 3, 2006

An Act To Amend the Charter of the Boothbay Harbor Sewer District

(EMERGENCY)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Received by the Clerk of the House on December 28, 2005. Referred to the Committee on Utilities and Energy pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative BISHOP of Boothbay.

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

3 **Whereas,** the Boothbay Harbor Sewer District is a quasi-municipal corporation
4 organized and existing under the laws of the State; and

5 **Whereas,** certain residences and businesses in the Town of Boothbay have private,
6 on-site sewage disposal systems that are inadequate; and

7 **Whereas,** the Town of Boothbay and the Boothbay Harbor Sewer District believe it
8 is in their best interests to extend the territory of the Boothbay Harbor Sewer District to
9 serve the Town of Boothbay; and

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

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

15 **Sec. 1. P&SL 1961, c. 161, §1,** as amended by P&SL 1993, c. 59, §1 and affected
16 by §2, is further amended to read:

17 **Sec. 1. Territorial limits; incorporation.** The territory, and the inhabitants
18 ~~therein,~~ of the Town of Boothbay Harbor in the County of Lincoln and the territory, and
19 the inhabitants ~~therein,~~ of ~~that part of~~ the Town of Boothbay, in the County of Lincoln,
20 ~~which is bounded and described as follows: Beginning at a point in the middle of the~~
21 ~~intersection of Dover Road and State Route 27; thence easterly a distance of 2,000 feet,~~
22 ~~more or less, to a point; thence southwesterly a distance of 10,000 feet, more or less, to~~
23 ~~the Boothbay Harbor town line; thence westerly along the town line a distance of 6,000~~
24 ~~feet, more or less, to a point; thence northerly a distance of 9,000 feet, more or less, to a~~
25 ~~point; thence easterly a distance of 5,200 feet, more or less, to the point of beginning;~~
26 constitute a public sewerage district and a body politic and corporate under the name of
27 "Boothbay Harbor Sewer District." The purpose of this district, subject to the provisions
28 of section 10, is to take over, control, operate and manage the sewers now owned by the
29 Town of Boothbay Harbor with all appurtenances thereto; to extend, increase, enlarge and
30 improve these sewers; to extend the present system or systems so as to furnish sewerage
31 facilities to parts of the district not now served with those facilities; to provide for
32 removal and treatment of sewage when, as and if that treatment becomes necessary; and
33 generally to construct, maintain, operate and provide a system of sewerage, sewage
34 disposal and sewage treatment for public purposes and for the health, welfare, comfort
35 and convenience of the inhabitants of the district.

36 **Sec. 2. P&SL 1961, c. 161, §17, 2nd sentence,** as amended by P&SL 1991, c.
37 81, §1 and affected by §3, is further amended to read:

38 The total indebtedness of the district at any one time outstanding may not exceed the sum
39 of ~~\$5,500,000~~ \$8,500,000.

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

SUMMARY

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This bill extends the territory of the Boothbay Harbor Sewer District to include all of the territory of the Town of Boothbay. The bill also increases the debt limit of the Boothbay Harbor Sewer District from \$5,500,000 to \$8,500,000.