

MAINE STATE LEGISLATURE

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SECOND SPECIAL SESSION

NINETY - EIGHTH LEGISLATURE

Legislative Document

No. 1638

H. P. 1141

House of Representatives, January 13, 1958

The Committee of Public Utilities suggested.

HARVEY R. PEASE, Clerk

Presented by Mrs. Knapp of Yarmouth.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FIFTY-EIGHT

AN ACT Relating to Sources of Supply and Purposes of Yarmouth Water District.

Emergency preamble. Whereas, the existing water facilities in the Town of Yarmouth are inadequate for the needs of the inhabitants of said Town and the agricultural, commercial and industrial pursuits within the Town; and

Whereas, this condition constitutes a menace to the welfare and safety of the inhabitants of said Town; and

Whereas, it is necessary to take immediate steps to alleviate said conditions; 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. & S. L., 1923, c. 72, § 1, amended. Section 1 of chapter 72 of the private and special laws of 1923 is amended to read as follows:

'Sec. 1. Territorial limits, corporate name and purposes. The territory and the people constituting the Town of Yarmouth in the County of Cumberland and State of Maine are hereby constituted a body politic and corporate under the name of the Yarmouth Water District, subject to adoption by the people of said territory as hereinafter provided. The purpose of said district is the supplying of the inhabitants thereof with pure water for domestic, **agricultural, commercial, industrial**, sanitary and municipal purposes.'

Sec. 2. P. & S. L., 1923, c. 72, § 2, amended. Section 2 of chapter 72 of the private and special laws of 1923 is hereby amended to read as follows:

'Sec. 2. Source of supply; authorized to erect dams, lay pipes, etc.; may hold or purchase real estate. For any of the purposes aforesaid, or for the preservation and purity of said water, said district is hereby authorized to take and use water from Royal River, or from any spring, pond, brook or other **source of water** in the Towns of Yarmouth and New Gloucester, or from any springs, brook ~~or~~, pond **or other source of water** in the Town of North Yarmouth; to conduct and distribute the same into and through the said ~~town~~ **Towns** of Yarmouth and North Yarmouth; to survey for, locate, lay, erect and maintain suitable dams, reservoirs and machinery, pipes, aqueducts and fixtures; to carry its pipes or aqueducts under, in and over the Royal River, so called, or under or over any water course, bridge, street, railroad, highway or other way; and said district is further authorized to enter upon and excavate any highway or other way, in such manner as least to disturb the same, and shall leave said ways in as safe and passable condition as before such excavation; to enter, pass over and excavate any lands, and to take and hold by purchase or otherwise, any real estate, rights of way or of water, and in general to do any acts necessary, convenient or proper for carrying out any of the purposes hereinbefore specified. And said district is further authorized, for the purpose of making all needed repairs or extensions or service connections, to lay its pipes through any public or private lands or ways, with the right to enter upon the same or dig therein. Said district shall not render service in territory served or authorized to be served by any other **water** utility unless consent to such service be first obtained from the Public Utilities Commission.'

Emergency clause. In view of the emergency cited in the preamble, this act shall take effect when approved.

SUMMARY STATEMENT

The charter of the Yarmouth Water District states that the purpose of the district is to supply the inhabitants of Yarmouth with pure water for domestic, sanitary and municipal purposes. This bill seeks to include agricultural, commercial and industrial purposes.

The bill also seeks to increase the source of water supply for the district.