

# MAINE STATE LEGISLATURE

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**LAWS**

OF THE

**STATE OF MAINE**

AS PASSED BY THE

ONE HUNDRED AND FOURTEENTH LEGISLATURE

**FIRST REGULAR SESSION**

December 7, 1988 to July 1, 1989

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J.S. McCarthy Company  
Augusta, Maine  
1989

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**PRIVATE AND SPECIAL LAWS**

**OF THE**

**STATE OF MAINE**

**AS PASSED AT THE**

**FIRST REGULAR SESSION**

**of the**

**ONE HUNDRED AND FOURTEENTH LEGISLATURE**

**1989**

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## CHAPTER 64

S.P. 655 - L.D. 1762

## An Act to Amend the Norridgewock Water District Charter

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

Whereas, the Norridgewock Water District wants the flexibility to put this issue to referendum before the middle of October 1989; and

Whereas, unless this legislation is enacted as an emergency measure, the Town of Norridgewock will be unable to acquire certain funds necessary to maintain and improve the town's sewer 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:**

**Sec. 1. P&SL 1953, c. 84, §1, first ¶** is amended to read:

**Sec. 1. Territorial limits; name; purposes; plans of system to be submitted to public utilities commission for approval.** That part of the town of Norridgewock within the area hereinafter described, and the inhabitants within that area, are hereby created a body politic and corporate by the name of Norridgewock Water District for the purpose of supplying the inhabitants of said district with pure water for domestic, sanitary, agricultural, industrial and all lawful municipal purposes, ~~and also for providing adequate sewerage facilities for the collection, discharge and disposition of sewerage~~ as may be necessary for the convenience and health of the inhabitants of said district.

**Sec. 2. P&SL 1953, c. 84, §1, 2nd ¶** is repealed and the following enacted in its place:

The area within the district is to be comprised of the entire Town of Norridgewock.

**Sec. 3. P&SL 1953, c. 84, §2, first sentence** is amended to read:

The said district, for the purposes of its incorporation, is hereby authorized to take, hold, divert, use and distribute water from the Kennebec river in the town of Norridgewock, and from any surface or underground brook, well, lake, pond, stream, spring or vein of water in said town of Norridgewock and to do any and all things necessary in providing a system of ~~sewerage and~~ drainage for public purposes and for the health, comfort and convenience of the inhabitants of said district.

**Sec. 4. P&SL 1953, c. 84, §3, first ¶** is amended to read:

**Sec. 3. May exercise eminent domain.** The said district, for the purposes of its incorporation, is hereby authorized to take and hold as for public uses, real estate and personal estate, and any interest therein necessary for such purposes, by purchase, lease or otherwise, and is hereby authorized to exercise the right of eminent domain as hereinafter provided, to acquire for such purposes any land or interest therein or water rights necessary for erecting and maintaining dams, plants and works, for flowage, for power, for pumping, for supplying water through its mains ~~and sewerage system~~, for reservoirs, for preserving the purity of the water and watershed, for laying and maintaining mains, aqueducts and other structures for taking, distributing, discharging and disposing of water ~~and sewerage~~, for forming basins, reservoirs and outlets in a sewerage system, for erection of buildings for pumping works for use therein, for laying pipes and sewers and maintaining same, and for laying and maintaining conduits for carrying, collecting, discharging and disposing of sewage matters and waters, for filtering, rectifying, treating and disposal plants, works and facilities, for such other objects necessary, convenient and proper for the purposes of its incorporation, and for rights-of-way or roadways to its sources of supply, dams, power stations, reservoirs, mains, aqueducts, structures, plants, works, facilities and lands.

**Sec. 5. P&SL 1953, c. 84, §§4 and 5** are repealed.

**Sec. 6. P&SL 1953, c. 84, §9, 6th sentence** is amended to read:

They shall choose annually a treasurer to serve for a term of 1 year, fix the treasurer's salary, which shall in no case exceed ~~\$200~~ \$500 per year, and fill vacancies in that office.

**Sec. 7. P&SL 1953, c. 84, §12** is amended to read:

**Sec. 12. District and town authorized to make contracts.** Said district, through its trustees, is authorized to contract with persons and corporations, including the town of Norridgewock, and said town of Norridgewock is authorized to contract with it, for the supply of water ~~and sewerage facilities~~ for municipal purposes.

**Sec. 8. P&SL 1953, c. 84, §13, 2nd sentence** is amended to read:

For the purpose of obtaining or providing money to pay or to meet any necessary expenses and liabilities under the provisions of this act, including expenses in the creation of this district, in securing sources of supply, taking water and land, paying damages, laying pipes, constructing, maintaining and operating a water plant ~~and sewerage disposal system~~ and making extensions, additions and improvements to the same, the said district, through its trustees, may from time to time issue bonds of the district to an amount necessary in the judgment of the trustees therefor, maturing and payable at such time or times, in uniform or varying installments, with or without such call provisions, and with or

without such a premium or premiums, as said trustees shall determine.

**Sec. 9. P&SL 1953, c. 84, §15, 2nd sentence** is amended to read:

Said water ~~and sewer~~ rates shall be so established as to provide revenue for the following purposes:

**Sec. 10. P&SL 1953, c. 84, §15, sub-§1** is amended to read:

1. To pay current expenses for operating and maintaining the water system ~~and sewer system~~.

**Sec. 11. Power of selectmen.** The selectmen of the Town of Norridgewock shall have the power and authority to provide for adequate sewerage facilities for the collection, discharge and disposition of sewerage as may be necessary for the convenience and health of the inhabitants of the town. The provision of a sewerage facility by the selectmen shall be in conformity with the Maine Revised Statutes, Title 30-A, chapter 161, subchapter I.

**Sec. 12. Referendum; emergency clause.** Except for section 2, this Act shall take effect when approved. Section 2 shall take effect when approved only for the purpose of permitting its submission to the legal voters of the Town of Norridgewock at a regular town meeting or at a special town meeting to be called and held for that purpose within 90 days of the approval of this Act. The regular or special town meeting shall be called, advertised and conducted according to the law relating to municipal election; provided that the selectmen of the town shall not be required to prepare for posting, nor the town clerk to post, a new list of voters and for the purpose of registration of voters the board of voter registration shall be in session on the secular day next preceding the regular or special election. The voters of the water district shall vote on the following question:

“Shall the provision in the Act to amend the Norridgewock Water District charter expanding the geographic boundaries of the district to include those parts of the Town of Norridgewock not presently included in the district be accepted?”

The legal voters of the Town of Norridgewock not presently residing in the water district shall vote on the following question:

“Shall the provision in the Act to amend the Norridgewock Water District charter expanding the geographic boundaries of the district to include those parts of the Town of Norridgewock not presently included in the district be accepted?”

Section 2 of this Act shall take effect when adopted by a majority of both the legal voters of the Norridgewock Water District and the legal voters of the remaining area of

the Town of Norridgewock not presently included in the district voting at the election.

Effective pending referendum, unless otherwise indicated.

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## CHAPTER 65

H.P. 1267 - L.D. 1763

### An Act Requiring the Bureau of Public Lands to Study the Best Method and Cost of Removing Abandoned Watercraft in the Coastal Waters of the State

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

**Whereas,** the study proposed by this Act must be completed in time for a report to be submitted to the Second Regular Session of the 114th Legislature and, therefore, it is essential that this study be initiated as soon as possible; 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. Purpose of study.** The Bureau of Public Lands is charged and directed to conduct a study to determine the most appropriate and cost effective method of disposing of abandoned watercraft in the coastal waters of the State. This study shall include a discussion of alternative methods available to dispose of those watercraft, including a discussion of the permits which may be necessary to dispose of those watercraft; an estimate of the cost of disposal; and recommendations as to funding the cost of disposal and methods, if any are appropriate, to expedite the permit approval process for disposal of abandoned watercraft. The study shall develop a definition of abandoned watercraft and criteria to determine if the watercraft should be disposed of. The study of disposal methods and associated costs shall be limited to those vessels already identified in the report “Study of the Problem of Submerged Watercraft in Coastal Waters of Maine” submitted in January 1988, to the Legislature pursuant to Resolve 1987, chapter 42, by the Bureau of Public Lands, Department of Conservation. In addition, the study shall identify, as well as possible, any additional vessels which have been abandoned in the coastal waters of the State.

**Sec. 2. Report.** The bureau shall present its findings, together with any recommended legislation, to the Second Regular Session of the 114th Legislature by March 15, 1990.