

# MAINE STATE LEGISLATURE

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**LAWS**  
OF THE  
**STATE OF MAINE**

AS PASSED BY THE  
ONE HUNDRED AND FOURTEENTH LEGISLATURE  
**FIRST SPECIAL SESSION**

August 21, 1989 to August 22, 1989

and

**SECOND REGULAR SESSION**

January 3, 1990 to April 14, 1990

THE GENERAL EFFECTIVE DATE FOR  
NON-EMERGENCY LAWS IS  
July 14, 1990

PUBLISHED BY THE REVISOR OF STATUTES  
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,  
TITLE 3, SECTION 163-A, SUBSECTION 4.

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J.S. McCarthy Company  
Augusta, Maine  
1990

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**PRIVATE AND SPECIAL LAWS**

**OF THE**

**STATE OF MAINE**

**AS PASSED AT THE**

**SECOND REGULAR SESSION**

**of the**

**ONE HUNDRED AND FOURTEENTH LEGISLATURE**

**January 3, 1990 to April 14, 1990**

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## CHAPTER 109

H.P. 1734 - L.D. 2393

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

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

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

**Whereas,** the present charter does not provide authorization for the Van Buren Water District to provide water by means of a well 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:**

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

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

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

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

Effective April 3, 1990.

## CHAPTER 110

H.P. 1455 - L.D. 2029

**An Act to Require the Public Utilities Commission to Conduct an Analysis of the Comparative Environmental and Economic Impacts of Alternate Energy Resource Plans in Utility Proceedings**

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

**Whereas,** the Legislature finds that the Public Utilities Commission should immediately study the merits of alternative methods for including in the regulatory process consideration of comparative environmental and economic impacts of alternative energy resource plans; and

**Whereas,** in order to complete the study outlined in this Act and submit a report by April 1, 1991, the Public Utilities Commission must start 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. Statement of legislative findings.** The Legislature finds that a reasonable state energy policy takes into account the environmental costs and benefits of alternative energy resource plans, as well as the economic costs and benefits. The Legislature also finds that the development of an appropriate method to implement such a policy requires careful consideration of a number of substantive and procedural issues and that the failure to design an appropriate method may preclude or delay the development of reasonable alternatives and increase rates to electric ratepayers without a commensurate environmental benefit. Because the implementation of the policy may substantially alter the current regulatory process established by the Legislature, the proposed method should be subject to legislative review before it becomes effective.

**Sec. 2. Public Utilities Commission analysis.** The Public Utilities Commission shall undertake an analysis of the extent to which the environmental and economic impacts of alternative energy resource plans should be included in the electric energy planning process subject to the commission's jurisdiction. The analysis by the commission must:

1. Identify and describe any deficiencies in the ability of the State's current environmental and utility regulatory process to consider and reflect the environ-