

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND FIFTEENTH LEGISLATURE

THIRD SPECIAL SESSION

October 1, 1992 to October 6, 1992

FOURTH SPECIAL SESSION

October 16, 1992

ONE HUNDRED AND SIXTEENTH LEGISLATURE

FIRST REGULAR SESSION

December 2, 1992 to July 14, 1993

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
OCTOBER 13, 1993

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

J.S. McCarthy Company
Augusta, Maine
1993

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE

AS PASSED AT THE

FIRST REGULAR SESSION

of the

ONE HUNDRED AND SIXTEENTH LEGISLATURE

1993

Act to the legal voters of the Town of Castine voting at a regular or special election called and held within 6 months after passage of this Act. If the municipal officers choose to so submit this Act the election must be called, advertised and conducted according to the law relating to municipal elections, except that the municipal officers are not required to prepare or the town clerk to post a new list of voters. For the purpose of registration of voters the registrar is required to be in session the 3 secular days next preceding the election, of which the first 2 days must be devoted to registration of the voters and the last day to verification of the list and completion of the records of these sessions. The subject matter of this Act is reduced to the following question:

“Do you favor the dissolution of the Castine Water District and the acquisition of the assets and liabilities of the Castine Water District by the Town of Castine?”

This Act also must be submitted to the Trustees of the Castine Water District for a ratification vote at any trustees' meeting.

This Act takes effect for all purposes immediately upon its acceptance by the Trustees of the Castine Water District and by a majority of the legal voters of Castine voting at the election.

The results of the election must be declared by the municipal officers of the Town of Castine and due certificate thereof filed by the town clerk with the Secretary of State.

Sec. 8. Effective date. Section 1 of this Act takes effect when the Secretary of State receives valid notice of dissolution and termination of the Castine Water District pursuant to section 6.

Effective pending referendum, unless otherwise indicated.

CHAPTER 44

H.P. 615 - L.D. 830

An Act Amending the Charter of the Brewer Water District

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

Whereas, certain provisions of the Charter of the Brewer Water District are inadequate for the Brewer Water District to carry out its functions; and

Whereas, uninterrupted collection and distribution of water is essential to the health and welfare of the customers of the Brewer Water District; and

Whereas, the Brewer Water District needs the power to adopt bylaws in order to preserve the purity of Hatcase Pond, the primary water source for the City of Brewer, consistent with a federally mandated implementation schedule under the Safe Drinking Water Act; and

Whereas, the charter of the Brewer Water District does not exempt from property taxation property owned by the district but located outside of the City of Brewer; 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 1945, c. 146, §§14-A and 14-B are enacted to read:

Sec. 14-A. General bylaw authority. The Brewer Water District has the power to adopt bylaws not inconsistent with the general laws of the State to prevent pollution of the water of Hatcase Pond and to preserve the purity of the water, and the district may prescribe penalties for the violation of those bylaws. Those bylaws may specifically restrict or prohibit boating or fishing, in a manner not inconsistent with the general laws of the State, to prevent pollution and to preserve the purity of the water. Those bylaws may also restrict swimming to prevent pollution and preserve the purity of the water but any such restriction may not be more stringent than the 3,000-foot ban contained in section 14-B and must be consistent with the general laws of the State. The bylaws have the same force and effect as municipal ordinances and the District Court has jurisdiction over violations.

Sec. 14-B. Water quality. A person may not bathe or wash articles of personal apparel in or upon the waters of Hatcase Pond. A person may not engage in or attempt to engage in boating or fishing in or upon the waters of Hatcase Pond within 2,000 feet of the intake of the Brewer Water District. A person may not engage in or attempt to engage in swimming in or upon the waters of Hatcase Pond within 3,000 feet of the intake of the Brewer Water District. A person who violates this section commits a civil violation for which a fine of not more than \$500 must be adjudged for each offense. The Department of Inland Fisheries and Wildlife shall enforce this section.

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

Effective June 16, 1993.