

# MAINE STATE LEGISLATURE

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March 14, 1961

Mr. Floyd W. Campbell  
State Conservationist  
10 Hill Street  
Orono, Maine

Dear Floyd:

We are in receipt of your request for an opinion as to whether any of the three types of water companies in Maine, namely: 1. Districts "quasi-municipal"; 2. Municipal; 3. Privately owned; can be "local organizations" as the term is used in Public Law 566, the Watershed Protection and Flood Prevention Act, which states that a local organization is:

"--Any state, political subdivision thereof, soil or water conservation district, flood prevention or control district, or combinations thereof, or any other agency having authority under State law to carry out, maintain and operate the works of improvement, or any irrigation or reservoir company, water users association, or similar organization having such authority and not being operated for profit that may be approved by the Secretary."

In answer to your request, we must state that none of the water companies, whether they be privately or publicly owned, has the authority under state law to carry out, maintain, and operate the various works of improvement that would be called for under the provision of Public Law 566, as amended.

**Mr. Floyd Campbell**

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**March 14, 1963**

**Public Utilities, just as municipalities, are creatures of the Legislature, and have no powers other than those specifically granted. Water companies in Maine, do not have the necessary authority that would be required under the provision of Public Law 566.**

**Sincerely yours,**

**Wayne B. Hollingsworth  
Assistant Attorney General**

**WBR/slf**