

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
107TH LEGISLATURE

(Filing No. H-620)

COMMITTEE AMENDMENT "A" to H.P. 1509, L.D. 1840, Bill,
"AN ACT to Incorporate the Woodlands Utilities District."

Amend said Bill by striking out all of the Title and inserting in place thereof the following: 'AN ACT to Incorporate the Baileyville Utilities District.'

Further amend said Bill in the Emergency preamble by inserting after the first paragraph the following:

'Whereas, the present water and electric system is inadequate and in need of immediate improvement and repair to protect the quality of the water and electric service and the health and well-being of the inhabitants of Baileyville; and'

Further amend said Bill in section 1 in the 4th line (3rd line in L.D.) by striking out the quoted words "Woodland Utilities District" and inserting in place thereof the quoted words "Baileyville Utilities District" and in the 7th line (6th line in L.D.) by inserting after the word "selling" the following: ', transmitting' and in the next to the last line (last line in L.D.) by striking out the word "Woodland" and inserting in place thereof the word 'Baileyville'

Further amend said Bill in section 3 in the last paragraph in the 3rd line (same in L.D.) by striking out the words "service corporation" and inserting in place thereof the words and punctuation 'utility, district or cooperative'

Further amend said Bill in section 3 in the last

paragraph by adding at the end the following:

'Nothing herein contained shall be construed to empower said district to take by eminent domain any dam, building or other improvement or the real estate on which any dam, building or other improvement is situated or any real estate used for the storage of wood, or any interest in any such property, except from said Woodland Water and Electric Company as provided in section 10. Any eminent domain proceedings for electrical purposes after the original acquisition referred to in sections 9 and 10 shall be subject to the requirements and limitations of the Revised Statutes of 1964, Title 35, section 2306.'

Further amend said Bill in section 5 in the 2nd line (same in L.D.) by inserting after the word "company" the punctuation and words ', district or cooperative,'

Further amend said Bill in section 6 in the 3rd line (same in L.D.) by striking out the word "selectman" and inserting in place thereof the following: 'member of the town council or the town manager of said Baileyville'

Further amend said Bill in Section 8 in the last 2 lines (same in L.D.) by striking out the words and punctuation "and to provide it with financial assistance." and inserting in place thereof the following '. Said Baileyville by vote of its town council is authorized to loan said district not exceeding \$40,000 to be used for engineering, accounting and legal expenses in connection with the organization of the district, acquiring of the assets of Woodland Water and Electric Company and studies and reports in connection therewith. Said loan or loans

shall be repaid by the district from its initial long-term financing.'

Further amend said Bill in section 9 in the 2nd line (2nd and 3rd lines in L.D.) by inserting after the word "authorized" the words 'upon receipt of approval of the Public Utilities Commission as provided in the Revised Statutes of 1964, Title 35, chapter 11' and ^{by inserting} in the 7th line (7th and 8th lines of L.D.) after the word "authorized" the words 'upon receipt of approval of the Public Utilities Commission as provided in this section'

Further amend said Bill in section 10 by inserting at the end the following new paragraph:

'If said district fails to file its petition to take by eminent domain, before April 1, 1976, said plant, properties, franchises, rights and privileges owned by Woodland Water and Electric Company, then the authority granted by this section shall cease.'

Further amend said Bill in section 11 in the 2nd paragraph in the 8th line (same in L.D.) by striking out the word "Woodland" and inserting in place thereof the word 'Baileyville'

Further amend said Bill in section 13 in subsection 1 in the 2nd line (same in L.D.) by inserting after the word "system" the following: ', including without limitation the purchase of electricity,'

Further amend said Bill in section 13 by adding at the end the following new paragraph:

'Said rates established pursuant to this section shall be sufficient to provide revenue for the foregoing purposes and for all other purposes of said district, without the need for any financial assistance from said Baileyville, other than the normal payment of electric and water charges for services rendered and the loan or loans for initial funds as set forth in section 8.'

Further amend said Bill by inserting after section 14 the following:

'Sec. 15. Separability clause. If any section or part of section of this charter shall be held invalid by a court of competent jurisdiction, such holding shall not affect the remainder of this charter, it being the intention that the remaining portions of this charter shall stand, notwithstanding the unconstitutionality or invalidity of any section, sentence, clause or phrase.'

Further amend said Bill in the 2nd paragraph from the end before the Statement of Fact by striking out in the first line (same in L.D.) the word "Woodland" and inserting in place thereof the word 'Baileyville'

Statement of Fact

This amendment changes the name of the Woodland Utility District to the Bailyville Utility District. It defines more clearly the intention of the Act.

Reported by the Committee on Public Utilities.
Reproduced and distributed under the direction of the Clerk of the House.
6/3/75

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