

MAINE STATE LEGISLATURE

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NEW DRAFT.

SEVENTY-SEVENTH LEGISLATURE

HOUSE

NO. 778

House of Representatives, March 16, 1915.

*Reported by Mr. Hanson from Committee on Legal Affairs
and ordered printed under joint rules.*

C. C. HARVEY, Clerk.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND FIFTEEN

AN ACT to Authorize the Town of Lisbon to Supply Gas
and Electricity.

Be it enacted by the People of the State of Maine, as follows:

Section 1. The Town of Lisbon, by its municipal officers
2 or by such commission as it may choose, is authorized and
3 empowered to buy, make, generate, transmit, supply, sell
4 and distribute electricity or gas, or both, for light, heat and
5 power, in the Towns of Lisbon, Durham and Bowdoin, to
6 said towns, and to corporations, firms and individuals.

Sect. 2. Subject to the permission of said towns, all loca-
2 tions upon, in or under streets, roads or ways in said towns,
3 necessary for the purposes of this act, are hereby granted,

4 and the municipal officers shall designate the streets, roads
5 or ways to be so occupied, the location of the poles, and may
6 establish reasonable restrictions as to kind of poles, their
7 construction and maintenance, the height of wires and use
8 of guard wires.

Sect. 3. The Town of Lisbon, by its municipal officers or
2 by said commission, is authorized and empowered to ac-
3 quire, by lease or purchase, any lands, real estate or water
4 powers, developed or undeveloped, lying wholly or partly
5 in Lisbon, and also the plant, property and franchises of
6 any company now or hereafter doing a similar business in
7 said town; to locate, construct and maintain dams; build
8 and equip power houses, reservoirs or gas holders; install
9 water wheels and dynamos; erect poles or lay pipes and
10 conduits and string wires above or below ground; to con-
11 tract with any corporation, firm or individual for the pur-
12 chase or sale of power or electricity; to lease its plant, for
13 not exceeding five years, to any corporation, firm or indi-
14 vidual; and to do all other things necessary to carry out
15 the purposes set forth in Section 1.

Sect. 4. Before the Town of Lisbon shall construct any
2 plant as hereinbefore mentioned, it shall offer to purchase
3 the plant and property of the Lisbon Falls Gas and Electric
4 Company, and shall purchase the same, provided the said
5 company will sell, at the physical value of the plant, i. e.,
6 not including any franchise value. But should said com-

7 pany refuse to sell at this price, the town may proceed to
8 construct its plant under this act.

Sect. 5. Said town, by its municipal officers or commission,
2 shall have the right to take any land or real estate or unde-
3 veloped water power, located wholly or partly in the Town
4 of Lisbon, as may be necessary for the purpose of carrying
5 out the provisions of this act. Said town, by its municipal
6 officers or said commission may enter upon any lands or
7 real estate so taken and held, to make surveys and locations,
8 and shall file in the registry of deeds in the county in which
9 such land or property lies, plans of such lands and loca-
10 tions, showing the property taken within said county, and,
11 within thirty days thereafter, shall publish notice of such
12 taking and filing in some newspaper published in said coun-
13 ty wherein said land is taken, such publication to be con-
14 tinued three weeks successively, and such filing in the regis-
15 try of deeds shall be in lieu of any other filing now require
16 by law.

Sect. 6. Should the said Town of Lisbon, by its municipal
2 officers or said commission, and the owner of such land, real
3 estate or undeveloped water power, be unable to agree upon
4 the damages to be paid for such taking, location and hold-
5 ing, the land owner or the Town of Lisbon by its municipal
6 officers or said commission, may, within six months after
7 the filing of said plans and location, apply to the commis-
8 sioners of the county wherein said land lies, who shall cause
9 such damages to be assessed in the same manner, and under

10 the same conditions, restrictions, limitations and rights of
11 appeal as are by law prescribed in the case of damages for
12 the laying out of railroads, so far as such law is consistent
13 with the provisions of this act.

Sect. 7. Said town is hereby authorized to issue bonds
2 or town orders for carrying out this act, upon such rates
3 and time, and to such amounts as it may deem necessary,
4 subject to provisions of Chapter 129 of the Public Laws of
5 1913, known as the Public Utilities Act.