

MAINE STATE LEGISLATURE

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EIGHTIETH LEGISLATURE

HOUSE

NO. 325

House of Representatives, March 17, 1921.

Referred to Committee on Legal Affairs and 2000 ordered printed. Sent up for concurrence.

CLYDE R. CHAPMAN, Clerk.

Presented by Mr. Brewster of Portland.

STATE OF MAINE

**IN THE YEAR OF OUR LORD ONE THOUSAND
NINE HUNDRED AND TWENTY-ONE**

RESOLVE, Amending the Constitution of Maine so as to Authorize the Conservation, Storage, Control and Use of Waters and the Development, Improvement, Transmission, Utilization, Electrical Interconnection, Control and Sale of Water Powers by the State and the Taxation of Water Powers, Water Privileges and the Hydro-Electric Energy Generated Therefrom.

Resolved: Two thirds of the legislature concurring, that
2 the following amendment to the constitution of Maine be
3 proposed,

'The conservation, storage, control and use of waters, and
2 the development, improvement, transmission, utilization,

3 electrical interconnection, control and sale of water powers,
4 by the State of Maine, either directly or through such pub-
5 lic district or districts, as the legislature may authorize and
6 not otherwise are declared to constitute paramount public
7 uses, for the accomplishment of which the right of eminent
8 domain may be exercised, and in furtherance of which the
9 right of taxation may be employed; and the legislature may
10 also provide therefor and for the apportionment to, and as-
11 sessment upon, the lands and property which shall, or may
12 be benefitted thereby, and according to the extent of such
13 benefits, the whole or any part of the cost of such conserva-
14 tion, storage, development, improvement, transmission, con-
15 trol, electrical interconnection, and utilization of said waters
16 and water powers, including the cost of maintenance and
17 operation thereof.'

'For the purposes of taxation water powers and water
2 privileges within the State and hydro-electric energy gener-
3 ated therefrom, may be treated by the legislature as proper-
4 ty distinct from the land or structure to which they may be
5 appurtenant, or from which they may be derived, and such
6 powers, privileges, and energy may be assessed for taxation
7 in such manner as the legislature may determine at rates
8 differing from the rate imposed upon real and personal
9 property within the State; and such powers and privileges
10 may be classified as developed, partially developed, and un-
11 developed, and a different rate of taxation may be imposed
12 upon each class: provided, however, that all such taxes shall

13 be apportioned and assessed equally at uniform rates of
14 taxation throughout the state upon the same class of prop-
15 erty.'

That the aldermen of cities, the selectmen of towns and
2 the assessors of the several plantations in this state are
3 hereby empowered and directed to notify the inhabitants of
4 their respective cities, towns and plantations to meet in the
5 manner prescribed by law for calling and holding biennial
6 meetings of said inhabitants for the election of senators and
7 representatives on the second Monday in September in the
8 year nineteen hundred and twenty-two, to give in their votes
9 upon the amendment proposed in the foregoing resolution
10 and the question shall be:

'Shall the constitution be amended as proposed by a reso-
2 lution of the legislature so as to authorize the conservation,
3 storage, control and use of waters and the development, im-
4 provement, transmission, utilization, electrical interconnec-
5 tion, control and sale of water powers by the state and the
6 taxation of water powers, water privileges, and the hydro-
7 electric energy generated therefrom?'

And the inhabitants of said cities, towns and plantations
2 shall vote by ballot on said question, those in favor of the
3 amendment voting "Yes" upon their ballots and those op-
4 posed to the amendment voting "No" upon their ballots and
5 the ballots shall be received, sorted, counted and declared in
6 open ward, town and plantation meetings and return made
7 to the office of the secretary of state in the same manner as

8 votes for governor and members of the legislature and the
9 governor and council shall count the same and if it shall ap-
10 pear that a majority of the inhabitants voting on the ques-
11 tion are in favor of the amendment, the governor shall
12 forthwith make known the fact by his proclamation and the
13 amendment shall thereupon as of the date of said proclama-
14 tion become a part of the constitution.

That the secretary of state shall prepare and furnish to the
2 several cities, towns and plantations ballots and blank re-
3 turns in conformity with the foregoing resolve accompanied
4 by a copy thereof.