

MAINE STATE LEGISLATURE

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NEW DRAFT

EIGHTY-FIRST LEGISLATURE

HOUSE

NO. 257

House of Representatives, March 2, 1923.

Reported by Mr. Bartlett from Committee on Public Utilities and ordered printed under joint rules.

CLYDE R. CHAPMAN, Clerk.

STATE OF MAINE

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

AN ACT to Make Valid the Doings of the Penobscot County
Water Company, and to Define and Confirm Its Powers.

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

Section 1. The organization of the Penobscot County
2 Water Company, a corporation organized under the gen-
3 eral laws of the state of Maine for the purpose of supply-
4 ing water for domestic, commercial, industrial, municipal
5 and governmental uses, certificate of which is filed with
6 the secretary of state, is hereby ratified and confirmed.

Sect. 2. The conveyances to said corporation by the Ban-
2 gor Railway and Electric Company, the Bar Harbor and
3 Union River Power Company, and the Orono Water Com-

4 pany, of their respective water works, plants, franchises,
5 ordinances, permits, licenses, rights, easements, rights of
6 way, leases and leasehold interests, grants, privileges and
7 immunities granted from time to time by the legislature
8 of this state or by any municipal sub-division thereof, or
9 acquired in any manner or from any source whatever, re-
10 lating to or in any way connected with their respective
11 businesses of supplying water to cities and towns and the
12 inhabitants thereof, all made with the approval of the pub-
13 lic utilities commission, are hereby ratified and confirmed;
14 and said Penobscot County Water Company is authorized
15 and empowered to exercise and enjoy said franchises, rights
16 and powers with the same force and effect and subject to
17 the same obligations and limitations as though they had
18 been conferred upon or granted to it in the first instance.

Sect. 3. Said corporation is authorized and empowered,
2 subject to such lawful rules and regulations as the public
3 utilities commission shall make, to combine and consolidate
4 any two, or more, or all of the aforesaid works which are
5 situated in Penobscot county, at one time or by successive
6 steps, and the consolidation of the Brewer and Orono works
7 already made is hereby approved. Whenever any such con-
8 solidation is made, said corporation may exercise for the
9 benefit of the whole every right of eminent domain and
10 every other franchise, right and power which has hereto-
11 fore been granted to any of its predecessor corporations as
12 appurtenant to any part, and which are hereby declared

13 to be confirmed to this corporation; provided, however,
14 that all such franchises, rights and powers, whether as origi-
15 nally limited or as so enlarged and extended, shall be ex-
16 ercised, and the damages caused thereby assessed, in the
17 same manner provided in the acts originally creating them,
18 and either party may initiate proceedings for the assess-
19 ment of such damages. Whenever said corporation shall
20 undertake to exercise the right of eminent domain, or any
21 other right requiring notice, which has been granted in dif-
22 ferent forms in different acts relating to parts of the com-
23 bined or consolidated works for which it is being exercised,
24 such notice shall name the particular act which it is intended
25 to invoke.

Sect. 4. All existing locations of any part or parts of the
2 works of said Penobscot County Water Company in any
3 streets, ways, parks, squares or other public places are here-
4 by ratified and confirmed.

Sect. 5. Nothing herein contained is intended to repeal
2 or shall be construed as repealing the whole or any part
3 of any existing statute. And all the rights and duties here-
4 in mentioned shall be exercised and performed in accord-
5 ance with all the applicable provisions of chapter fifty-five
6 of the revised statutes, and acts amendatory thereof or ad-
7 ditional thereto.