

MAINE STATE LEGISLATURE

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EIGHTY-EIGHTH LEGISLATURE

Legislative Document

No. 31

H. P. 75

House of Representatives, January 19, 1937.

Referred to Committee on Judiciary. Sent up for concurrence and 500 copies ordered printed.

HARVEY R. PEASE, Clerk.

Presented by Mr. Packard of Houlton.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
THIRTY-SEVEN

AN ACT to Consolidate the Houlton Water Company and the Houlton Sewerage Company and for other purposes.

Emergency preamble: Whereas the town of Houlton, in accordance with the authorization thereto contained in chapter 464 of the private and special laws of 1901 has purchased and is the owner of all the capital stock of Houlton Water Company except qualifying shares held by the directors of said corporation and holds an option on said qualifying shares, and

Whereas Houlton Water Company, in accordance with the authorization thereto contained in chapter 148 of the private and special laws of 1903 has acquired and is the owner of all the capital stock of Houlton Sewerage Company, and

Whereas the inhabitants of the town of Houlton have been unable heretofore directly to elect directors of said Houlton Water Company and said Houlton Sewerage Company, and

Whereas the business of the Houlton Sewerage Company could be conducted more economically by Houlton Water Company, and

Whereas this bill is designed to eliminate the above objectionable conditions, and

Whereas, in order that the town of Houlton may elect directors of Houlton Water Company at its next annual town meeting it is necessary that immediate steps be taken to perform the requirements of this act, and

Whereas in the judgment of the legislature these facts create an emergency within the meaning of section 16 of Article XXXI of the constitution of the state of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now therefore

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

Sec. 1. P. & S. L., 1880, c. 227, § 2, as amended, further amended. Section 2 of chapter 227 of the private and special laws of 1880 as amended by chapter 497 of the private and special laws of 1889, and as amended by chapter 148 of the private and special laws of 1903, and as amended by chapter 3 of the private and special laws of 1905, and as amended by chapter 109 of the private and special laws of 1907 is hereby amended to read as follows:

'Sec. 2. Powers of corporation. Said corporation may acquire and hold real and personal estate, necessary and convenient for the purposes aforesaid, and the stock in whole or in part of the Houlton Sewerage Company, not exceeding in all \$200,000; and may sell and convey the same, and is specifically authorized to acquire from Houlton Sewerage Company and hold all of the real and personal estate and assets of every description now owned by the Houlton Sewerage Company, which real and personal estate and assets the said Houlton Sewerage Company is hereby authorized to sell and assign to said corporation; and the said Houlton Water Company shall then be vested with all the rights, powers and privileges heretofore granted to said Houlton Sewerage Company; may issue certificates of stock to an amount not exceeding \$50,000; and may issue and sell bonds to an amount not exceeding \$200,000, to aid in the construction, extension, improvement and repair of its works, and to pay any existing debts whether represented by bonds, notes or accounts, and for the purchase of the whole or any part of the stock, real or personal estate or other assets of the Houlton Sewerage Company; and said bonds to the amount of \$200,000 may be purchased and held by the savings banks of Maine.'

Sec. 2. P. & S. L., 1880, c. 227, § 9, amended. Section 9 of chapter 227 of the private and special laws of 1880 is amended by striking out the whole of said section and inserting therefor the following:

'Sec. 9. Board of directors. The affairs of said corporation shall be controlled by a board of directors consisting of 6 members, who shall be citizens and freeholders of the town of Houlton, but who need not be stockholders of said corporation, and who shall be elected by majority vote at the annual town meeting of said town of Houlton, as follows: at its next annual town meeting after this act shall take effect as amended, the town shall elect 2 directors to hold office for 1 year, 2 to hold office for 2 years, and 2 to hold office for 3 years, and at each annual meeting thereafter it shall elect 2 directors to hold office for 3 years; and the board of directors shall choose such other officers as may be from time to time required by the by-laws of the corporation.'

Sec. 3. P. & S. L., 1905, c. 31, § 1, as amended, further amended. Section 1 of chapter 31 of the private and special laws of 1905, as amended by chapter 348 of the private and special laws of 1909, and as further amended by chapter 44 of the private and special laws of 1923 is hereby amended to read as follows:

'Sec. 1. Rights in re electricity. The Houlton Water Company is hereby specially authorized and empowered to contract for, buy, make, generate and use electricity upon its property in the town of Houlton in the county of Aroostook, or other property hereafter acquired by said Houlton Water Company for the purpose, and to transmit, conduct, and distribute such electricity to, into and throughout the town and village of said Houlton and the towns and villages of Linneus, Hodgdon, New Limerick, Ludlow, Smyrna, Merrill, Dyer Brook, Oakfield, **Amity, Orient, Cary Plantation** and Hammond Plantation, and sell and supply the same for lighting such public streets and such buildings and places therein, public and private, as may be agreed upon by said company and the owners of those having control of such streets and places to be lighted, and may transmit, sell and supply the same for heating, motive power, manufacturing or mechanical purposes in said towns and said plantations.'

Sec. 4. P. & S. L., 1905, c. 31, § 2, amended. Section 2 of chapter 31 of the private and special laws of 1905 as amended is hereby amended to read as follows:

'Sec. 2. Further powers granted. Said company is hereby authorized and empowered to build, erect and operate manufactories and works, for making, generating, distributing and supplying electricity upon said property, to use the same therein, and to erect, lay down, construct, maintain

and operate lines of wires or other material for the transmission of electricity under, over and across any stream or river, and under, along, upon and over the streets, ways and bridges in said towns of Houlton, Linneus, Hodgdon, Ludlow, New Limerick, Smyrna, Merrill, Dyer Brook, Oakfield, **Amity, Orient, Cary Plantation** and said Hammond Plantation.'

Sec. 5. Ratification. This act shall not become operative until it is ratified by the qualified voters of the town of Houlton at the annual meeting thereof in March 1937 or at a special meeting called for that purpose, by an appropriate article inserted in the call for said meeting, prior to July 1, 1937. Voting shall be by check list of qualified voters, and this act, subject to said ratification, shall, in view of the emergency recited in the preamble hereof, take effect when approved.