

# MAINE STATE LEGISLATURE

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SEVENTY-NINTH LEGISLATURE

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HOUSE

NO. 4

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STATE OF MAINE

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

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*House of Representatives, Jan. 9, 1919.*

*Referred to Committee on Judiciary. Sent up for concurrence.*

*CLYDE R. CHAPMAN, Clerk.*

*Presented by Mr. Baxter of Portland.*

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AN ACT to create the Maine Water Power Commission.

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

Section I. The Governor, with the advice and consent of  
2 the Council, shall appoint three citizens of the State, who  
3 shall constitute a commission to be known as the Maine  
4 Water Power Commission. The chairman of the commis-  
5 sion shall be designated by the Governor; the first one ap-  
6 pointed shall hold office for three years, and the other mem-  
7 bers shall hold office for two and one years respectively,  
8 and the terms of the latter shall be designated by the Gov-  
9 ernor when making the appointments. Each member there-  
10 after shall hold office for three years. Any vacancy oc-

11 curring in said commission shall be filled in the same man-  
12 ner as by original appointment, but such appointment shall  
13 be only for the unexpired portion of the term in which such  
14 vacancy occurs. The members of said commission shall each  
15 receive \$5.00 per day while engaged upon work of the com-  
16 mission and they shall also be paid their actual and neces-  
17 sary expenses incurred in the performance of their duties.  
18 No member or employee of said commission shall have any  
19 official or professional connection or relation with or hold  
20 any interest in, or stock or securities in any Water Power  
21 or Water Storage Reservoir Company, operating within the  
22 State of Maine. No commissioner shall hold any other of-  
23 fice or profit or trust under the government of the United  
24 States or of this State except the office of Justice of the  
25 Peace or Notary Public, nor shall he serve on or under any  
26 committee of any political party. Any wilful violation of  
27 the provisions of this act by any commissioner shall con-  
28 stitute sufficient cause for his removal by the Governor with  
29 the advice and consent of the Council.

Sect. 2. The commission may employ a competent engi-  
2 neer with the title of chief engineer, who shall have charge  
3 under the direction of the commission, of the operations  
4 under this act. The chief engineer is hereby authorized and  
5 empowered to employ, subject to the approval of the com-  
6 mission, such engineers, stenographers, clerks and other sub-  
7 ordinates as he may find necessary to carry out the provi-  
8 sions of this act, but he shall not incur any expense in excess

9 of the amounts annually appropriated by the State for the  
10 purposes.

Sect. 3. The commission shall adopt and have a seal and  
2 shall be provided with a suitable office at the State House in  
3 which its records shall be kept. The commission shall ren-  
4 der to the Governor and Council an annual report showing  
5 the progress made in their investigations, and this report  
6 shall be transmitted to the next legislature.

Sect. 4. The commission shall thoroughly investigate the  
2 water power resources within the State of Maine, the flow  
3 of rivers and their drainage area, the location, nature and  
4 size of the lakes and ponds in the State and their respective  
5 value and capacity as storage reservoirs and such other hy-  
6 drographic data as they may deem of value in determining  
7 the best methods for the immediate improvement and de-  
8 velopment of water power resources within the State.

Sect. 5. The commission shall investigate the question of  
2 the acquisition and development by the State of the water  
3 storage reservoirs and basins and of the undeveloped water  
4 powers within the State.

Sect. 6. The commission shall investigate the present own-  
2 ership of all the water power resources within the State,  
3 what rights remain to the State in the storage reservoirs  
4 and basins and in the developed and undeveloped water pow-  
5 ers within the State, and whether these rights are in any  
6 respect being curtailed or otherwise being adversely affected  
7 by any person, firm or corporation.

Sect. 7. The commission shall investigate and report upon  
2 the question of the transmission beyond the confines of  
3 the State of electric current generated within the limits of  
4 the State; they shall render an account of all corporations  
5 having the right to so transmit electric current and of the  
6 amount thereof now being so transmitted by any and all  
7 such corporations and by individuals; and they shall inves-  
8 tigate and report upon any and all violations of Section 1,  
9 Chapter 60 of the Revised Statutes of Maine.

Sect. 8. The commission shall investigate the present wat-  
2 er power developments within the State with the view to  
3 determine whether it is for the interest of the State that the  
4 storage reservoirs and basins and the undeveloped water  
5 powers within the State be acquired and developed by the  
6 State or by private enterprise. If the commission is of the  
7 opinion that it is for the best interest of the people of the  
8 state to have the storage reservoirs and basins and the un-  
9 developed water powers developed by private enterprise, as  
10 has been done in the past, the commission shall report some  
11 plan whereby the present owners of these storage reservoirs  
12 and basins and undeveloped water powers may be encour-  
13 aged to immediately develop them for the best interest of all  
14 the people of the State. If the commission is of the opinion  
15 that the State itself should acquire and develop these stor-  
16 age reservoirs and basins and undeveloped water powers,  
17 the commission shall report a plan for the same.

Sect. 9. The commission shall investigate and report upon

2 the question of the taxation of the water storage reservoirs  
3 and basins and the water powers within the State.

Sect. 10. The commission is hereby given full power and  
2 authority to compel the attendance of witnesses, the pro-  
3 duction of books and papers and to do everything necessary  
4 and proper to secure all the facts required to properly place  
5 before the people of the State, the true situation in regard  
6 to the present status and future possibilities of the water  
7 power resources of the State, and at as early a date as pos-  
8 sible the commission shall present a comprehensive and prac-  
9 ticable plan whereby the water power resources of the State  
10 may be conserved, used and developed for the benefit of all  
11 the people of Maine.

Sect. 11. The commission is hereby authorized and di-  
2 rected to confer with the director or the representative of  
3 the United States Geological Survey and to accept its co-  
4 operation with this State in the prosecution of hydrographic  
5 and geological surveys and the preparation of a contour to-  
6 pographical survey and map of this State, which are hereby  
7 authorized to be made.

Sect. 12. The Public Utilities Commission is hereby di-  
2 rected to turn over to the Maine Water Power Commission  
3 all records, maps, papers, instruments and property that  
4 was transferred to it by authority of chapter one hundred  
5 and twenty-nine of the Public Laws of nineteen hundred  
6 thirteen, and also all records, maps and papers that it has  
7 since compiled and collected in carrying out the provisions

8 of law directing it to continue the work of the former Water  
9 Storage Commission.

Sect. 13. Sections nine, ten, eleven, twelve, thirteen and  
2 fourteen of chapter fifty-five of the Revised Statutes of  
3 nineteen hundred sixteen are hereby repealed.

Sect. 14. The sum of ten thousand dollars for the year  
2 nineteen hundred and nineteen, and fifteen thousand dollars  
3 for the year nineteen hundred and twenty, or so much as  
4 may be necessary, is hereby appropriated out of any fund  
5 in the treasury of the State not otherwise appropriated, to  
6 carry out the provisions of Sections one to ten inclusive of  
7 this act and any portion of said first mentioned sum of ten  
8 thousand (\$10,000) dollars remaining unexpended on Janu-  
9 ary first, 1920, shall be available for use by the commission  
10 during the year 1920, and the additional sum of five thou-  
11 sand dollars for the year nineteen hundred and nineteen,  
12 and five thousand dollars for the year nineteen hundred  
13 and twenty, or so much as may be necessary, is hereby ap-  
14 propriated out of any fund in the treasury of the State not  
15 otherwise appropriated, to carry out the provisions of Sec-  
16 tion eleven of this act relating to the hydrographic and geo-  
17 logical surveys to be made in connection with the United  
18 States Geological Survey.