

MAINE STATE LEGISLATURE

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(EMERGENCY)

ONE HUNDRED AND SEVENTH LEGISLATURE

Legislative Document

No. 501

H. P. 414

House of Representatives, January 30, 1975

Referred to Committee on Public Utilities. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mrs. Post of Owls Head.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-FIVE

**AN ACT to Authorize the Plantation of Matinicus to
Establish an Electric Power Generating Authority.**

Emergency preamble. Whereas, Acts passed by the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the existing electric power generating facility for the Plantation of Matinicus is inadequate and outdated; and

Whereas, the present Matinicus Light and Power Company has no electrical power generating capacity; and

Whereas, electric power is presently provided by a single town-owned Civil Defense emergency portable unit built in 1953; and

Whereas, it is imperative that the plantation be served by an adequate electric power generating facility with emergency backup capability; and

Whereas, a plantation is not authorized under the general laws of the State of Maine to establish an electric power generating facility; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution 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. The Plantation of Matinicus is hereby authorized to acquire, construct, reconstruct, improve, extend, enlarge, equip, repair, own, operate and maintain an electric power generating facility, and for this purpose is vested with the power to raise money at its annual meeting, or at any legal meeting called for that purpose, for the purchase or lease of lands, water power, dams, manufactures and works for providing and supplying electricity, and for the purchase of apparatus necessary for equipping and properly maintaining an electric power generating facility.

Sec. 2. The plantation is also authorized to construct and maintain lines for the transmission of electricity upon, along and over any and all public ways within the limits of the plantation, and for that purpose to erect, establish and maintain in and along said streets and roads all necessary poles, pipes and apparatus; which shall be so erected, established and maintained as not to unreasonably interfere with the public use of streets and roads.

Sec. 3. The plantation is also authorized to use the electricity manufactured and generated by it to light its streets, roads, public squares, and all buildings owned, used or occupied by it; and it is further authorized to sell, distribute and furnish electricity for lighting, heating and power to individuals and corporations within the limits of the plantation.

Sec. 4. The plantation is also authorized to issue general obligation bonds, not to exceed \$100,000, to pay the cost of the acquisition, construction, reconstruction, improvement, extension and enlargement of, and equipment for, the electric power generating facility. Schedules for the payment of the principal and interest on the bonds shall be established in conformance with the rules and regulations of the Public Utilities Commission.

Sec. 5. The plantation is also authorized, after it has issued general obligation bonds for the electric power generating facility, to raise by taxation and appropriate a sum not to exceed 50% of the cost of the principal and interest payments on the general obligation bonds in any year and 50% of the current operating costs for that year.

Sec. 6. The municipal officers are authorized to fix by regulation and revise from time to time and to collect rates, fees and other charges for the use of or for the services and facilities furnished or to be furnished by the electric power generating facility; and they are further authorized to appoint a person to collect the rates, fees and other charges, who may be required by the municipal officers to be bonded according to Title 30, section 5001, before assuming the duties of collection.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.

STATEMENT OF FACT

This Act will authorize the Plantation of Matinicus to establish an electrical generating facility to supply users of electricity on Matinicus Island.