

MAINE STATE LEGISLATURE

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SEVENTY-SECOND LEGISLATURE

SENATE.

No. 55

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND FIVE.

AN ACT to establish a board of Light and Water Commissioners
and define their duties.

*Be it enacted by the Senate and House of Representatives in
Legislature assembled, as follows:*

Section 1. The Governor with the advice and consent of
2 the council shall appoint a commission consisting of three
3 persons, two members of said commission shall be from the
4 dominant political party, and one from the political party
5 casting the next highest vote at the last state election. One
6 of said commissioners shall be appointed for one year, one
7 for two years, and one for three years, and each commissioner
8 thereafter shall be appointed for a term of three years unless
9 appointed to fill a vacancy caused by resignation, death or
10 removal, in which case his term shall expire at the time of
11 the commissioner's whose office he was appointed to fill would

12 have expired. They shall be designated as “Light and
13 Water Commissioners.” Said commissioners shall be paid
14 a salary of fifteen hundred dollars each and actual expenses.
15 The salary shall be payable in four quarterly payments on
16 the first of January, April, July and October. Said com-
17 missioners shall be provided with an office at the State cap-
18 itol, with suitable furniture and fixtures, and may employ a
19 clerk.

Sect. 2. Said commissioners shall on complaint of any per-
2 son at the prices charged for water, gas, electric light or
3 electric power by any corporation, are excessive, investigate
4 said complaint or investigate without complaint. They have
5 authority to summon witnesses before them including officers
6 or stockholders of said company, require said officers to
7 appear before them both at a time and place certain, with all
8 books, memoranda, contracts or other documentary evidence
9 acquired in arriving at an equitable basis said company may
10 charge for said water, gas, electric light or electric power.
11 Every person wilfully failing to appear when summoned
12 may be fined or imprisoned by said commissioners on an
13 execution or mittimus issued by said commissioners not over
14 ten dollars or thirty days in the county jail in the county
15 where said hearing shall be had.

Sect. 3. They have authority to administer oaths to all the
2 witnesses who appear before them, to tell the truth.

Sect. 4. All hearings shall be public. The company
2 affected and the person making the complaint provided for
3 in section two shall have personal notice of said hearings and
4 such newspaper notice as they deem necessary.

Sect. 5. Said commissioners shall have full authority after
2 investigation and hearing to fix and establish the amount said
3 company may charge for water, gas, electric light or electric
4 power, to any of its patrons and their decision shall be final.

5 The maximum price fixed by such order shall not thereafter
6 be increased by any such corporation except upon order of
7 said board of light and water commissioners.

Sect. 6. All witnesses' fees shall be paid by the State com-
2 missioners who shall be reimbursed from the state treasury
3 after approval by the governor and council.

Sect. 7. Gas, electric light and water companies and cor-
2 porations which are engaged in business under provisions of
3 this act shall have an office in the city or town in which their
4 works are located, and shall keep in such office all books and
5 papers which are required by law to be kept within this State,
6 and also such books as may be required to show their receipts,
7 expenditures, indebtedness and financial conditions, and shall,
8 at all times upon application, submit their books to the
9 inspection of the board of light and water commissioners.

Sect. 8. Corporations engaged in the manufacture of gas
2 or electricity or water companies shall keep their books and
3 accounts in a form to be prescribed by said light and water
4 commissioners, and the accounts shall be closed by the date
5 prescribed by said commissioners, so that the balance sheet
6 of that date can be taken therefrom.

Sect. 9. Corporations engaged in said light, water or gas
2 business shall annually, on such date as is prescribed by said
3 light and water commissioners, make to said board in the
4 form prescribed by it a return for the year to be designated
5 by said board, signed and sworn to by its president and treas-
6 urer and a majority of the directors, with the amount of its
7 authorized capital, its indebtedness and financial condition
8 up to the time of said return, its income and expenses during
9 the preceding year, its dividends paid out and declared, and
10 list of the names of all its salaried officers and the amount
11 of the annual salary paid to each, and the balance sheets of
12 its accounts up to the end of said year, as is prescribed by
13 said board.

Sect. 10. Every such corporation shall, at all times upon
2 request, furnish any information required by the board rela-
3 tive to its condition, management and operation, and shall
4 comply with all lawful orders of said board.

Sect. 11. The supreme judicial court shall have jurisdic-
2 tion in equity on application of said board to enforce all law-
3 ful orders of said board and all provisions of law relative to
4 the same.

STATE OF MAINE.

IN SENATE, February 7, 1905.

Presented by Mr. CLARK of Hancock, and pending reference to the
Committee on the Judiciary, on motion by the same Senator, laid on the
table.

KENDALL, M. DUNBAR, *Secretary*.