

MAINE STATE LEGISLATURE

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SEVENTY-SIXTH LEGISLATURE

HOUSE

NO. 146

House of Representatives, Feb. 5, 1913.

Tabled pending reference to a committee, by Mr. Folsom of Sanford and ordered printed.

W. R. ROIX, Clerk.

STATE OF MAINE

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

AN ACT to Authorize the Town of Sanford to Own, Main-
tain and Operate a Gas Plant.

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

Section 1. The town of Sanford is hereby authorized and
2 empowered to acquire, own, maintain and operate a gas
3 plant, and for such purpose said town is vested with the
4 power to raise money, as hereinafter provided, for the pur-
5 chase or lease of lands, buildings, machinery and personal
6 property necessary for properly equipping, operating and
7 maintaining said gas plant.

Sect. 2. Said town of Sanford is also hereby authorized
2 and empowered to use the gas by it manufactured and gen-
3 erated to light its streets, roads, and public squares, and all
4 buildings or parts of buildings owned, used or occupied by
5 it; and said town is further authorized to sell, distribute
6 and furnish gas for lighting, heating, manufacturing, and
7 mechanical purposes to individuals and corporations within
8 the limits of said town of Sanford.

Sect. 3. For the purposes of establishing, operating, and
2 maintaining said gas plant the said town of Sanford is here-
3 by authorized and empowered to take, lease, purchase, and
4 hold all real estate and personal property necessary or con-
5 venient, and may construct, lay, maintain, and operate lines
6 of pipe for the transmission of gas underground, over, under
7 and along any and all streets, roads, or ways within the lim-
8 its of said town of Sanford and for the purposes of laying
9 its pipes and distributing gas said town shall have authority
10 to take such rights in real estate across private land as may
11 be necessary.

Sect. 4. The board of selectmen of said Sanford are here-
2 by authorized and empowered, on behalf of said town, to
3 purchase any land together with all rights, privileges, and
4 easements appurtenant thereto, or to lay pipes across the
5 land of any person or corporation, necessary in carrying out
6 the purposes of this act; and if the said board of select-
7 men are unable to purchase from the owners thereof any
8 such land or easement in such land as they deem necessary

9 to have in carrying out the purposes of this act or cannot
10 agree with the said owners upon the price to be paid for
11 such land or the easement therein; then the said town of
12 Sanford, by its board of selectmen, are hereby authorized
13 and empowered to enter upon, take and hold said land or
14 easement therein; and within thirty days after entering
15 upon and determining the quantity of land to be taken and
16 held and the boundaries thereof, said selectmen shall file in
17 the registry of deeds for the County of York, notice of said
18 taking, together with plans and descriptions of said land,
19 with the purposes for which it is taken, signed by the afore-
20 said selectmen, and after filing said plan, description and
21 purposes, may enter upon, take and hold the land or ease-
22 ments in said land included in said description for the pur-
23 poses herein designated, and may use any portion of the
24 land so taken and held for the purposes mentioned and con-
25 templated in this act, the damages therefor to be assessed
26 by the County Commissioners of York County upon appli-
27 cation therefor, by either the owners of said property so
28 taken or by the selectmen of said Sanford, said application
29 to be made within six months after the filing of said notice,
30 plan and description before mentioned. Such damages are
31 to be assessed in the same manner and under the same re-
32 strictions, conditions, limitations and rights of appeal, as
33 are by law prescribed in the case of damages for the laying
34 out of highways, so far as such law is consistent with the
35 provisions of this act.

Sect. 5. Said town of Sanford for the purpose of carrying into full effect the provisions of this act in the establishing, constructing, furnishing, equipping and fully maintaining said gas plant, may at its annual town meeting or at any legal meeting called for that purpose, raise money, and issue bonds, in such denominations, and on such time and rate of interest as may be determined at such meeting to an amount necessary for said purpose, which taken in connection with any other indebtedness of said town will not exceed five per centum of the last regular valuation thereof. Said bonds shall be signed by the selectmen and treasurer of said town of Sanford.

Sect. 6. The building, equipping, care and management of said gas plant shall be under the control of the selectmen; or if the legal voters of said town of Sanford at its annual town meeting or at any meeting legally called for that purpose, so vote, said duties shall be placed in the hands of a commission, the members of which shall be chosen in town meeting as other municipal officers are chosen, and shall be known as "Commissioners of Public Service." If such commission is chosen it shall then exercise the powers and duties hereinbefore given to the board of selectmen for equipping, maintaining, and operating said gas plant. Said commission shall consist of three members who shall be legal voters of said town of Sanford, one chosen for one year, one chosen for two years, and one chosen for three years

15 and after the first year one shall be chosen each year for
16 the term of three years, and in case a vacancy occurs in such
17 commission the selectmen may appoint a member to act un-
18 til the next annual town meeting.