

# MAINE STATE LEGISLATURE

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SEVENTY-SIXTH LEGISLATURE

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SENATE

NO. 197

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*In Senate, Feb. 5, 1913.*

*Came from the House referred to the Committee on Judiciary, and on motion by Senator Hersey of Aroostook laid on the table for printing pending reference in concurrence.*

*W. E. LAWRY, Secretary.*

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STATE OF MAINE

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

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AN ACT to incorporate the Rockland Public Utilities District.

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

Section 1. The territory embraced within the city of Rock-  
2 land, in the county of Knox and state of Maine, and the  
3 inhabitants thereof, are hereby constituted a body politic  
4 and corporate, and are hereby made and declared to be a  
5 quasi-municipal corporation and to be within chapter 48,  
6 section 96 of the Revised Statutes of Maine, under the name  
7 of the Rockland Public Utilities District.

Sect. 2. The purposes of said corporation are, the acquiring, owning, holding, managing and operating public utilities of every kind, for the use and benefit of, and the supplying therewith, said territory and the inhabitants thereof, and the inhabitants of territory adjacent thereto, including the right to own and develop the water front of Owls Head Bay, and establish, own and control, wharves, docks and public landings therein; provided this corporation shall not have the right to, and shall not engage in the business of furnishing or furnish such public utilities as are now being supplied within said territory under authority of the legislature, until the legislature shall have further fixed and prescribed the manner and conditions thereof.

Sect. 3. For the carrying out of said purposes said corporation is authorized: To take and hold by purchase, gift, bequest, devise or otherwise, all real estate and personal property which may be deemed necessary therefor, and to mortgage, sell, lease, or otherwise dispose of the same; to receive and administer any trust fund, given or established to enable it to carry out its purposes, and any trust established for the general welfare of the inhabitants of said district. To issue bonds for raising money necessary for its purposes, which shall be an indebtedness of said corporation, and primarily a lien upon the property acquired and owned by it, not including property which may be held in trust; provided however that no bonds shall be issued in excess of the actual cost of property acquired, and of im-

15 provements thereon; nor unless the commissioners of said  
16 corporation shall certify in writing they believe the income  
17 from the property to be acquired and improved thereby, will  
18 pay a net revenue at least sufficient to pay the interest there-  
19 on, and accumulate a sinking fund of two per cent. per an-  
20 num; stating in such writing the sources from which the  
21 same is expected to be derived, and the amount from each  
22 source.

Sect. 4. Said corporation may, when the property ac-  
2 quired by it shall not for the time being be necessary for  
3 carrying out its purposes, lease the same for manufacturing,  
4 mechanical or other uses, and at the docks, wharves and  
5 landings acquired or controlled by it may rent its lands and  
6 buildings and allow the same to be used in such way as in  
7 the judgment of the commissioners for the time being may  
8 be deemed desirable.

Sect. 5. The indebtedness of said District, including its  
2 bonds, shall in no event exceed five per cent. of the assessed  
3 valuation of the property in said District and said bonds  
4 shall be a legal investment for Savings Banks and shall not  
5 be subject to taxation. A sinking fund shall be established  
6 for the payment of said bonds, which shall be devoted to  
7 retiring the same, and until used for such purpose shall be  
8 invested in such securities as Savings Banks are authorized  
9 to invest in.

Sect. 6. All the affairs of said District and all of its pow-  
2 ers and duties, shall be vested in, managed and controlled

3 by a commission of seven persons, of which the mayor of  
4 the City of Rockland for the time being, shall be chairman;  
5 but no other person holding any municipal office in the City  
6 of Rockland shall be eligible to membership. The remain-  
7 ing six commissioners shall be chosen by the municipal offi-  
8 cers of said Rockland, as follows:

In December of each year there shall be designated by bal-  
10 lot, two members to serve for a period of three years from  
11 the first day of January next succeeding, and until their suc-  
12 cessors are chosen and qualified. Said municipal officers  
13 shall in like manner fill for the unexpired term any vacancy  
14 which may occur, and shall forthwith, after this act shall  
15 become effective, choose in like manner six commissioners,  
16 two for one year, two for two years, and two for three years  
17 from the first day of January next succeeding, designating  
18 at the time those who are chosen for the respective periods.

Said commission shall elect a clerk and treasurer, and such  
20 other officers as they shall deem necessary, all of whom  
21 shall hold office during the pleasure of the commission.  
22 They shall adopt a corporate seal, and may establish from  
23 time to time all such by-laws, not inconsistent with law, as  
24 they deem necessary for the government and regulation of  
25 the affairs of the corporation. All officers shall be sworn  
26 to the faithful discharge of their respective duties.

Sect. 7. This act shall take effect when accepted by a  
2 majority vote of the legal voters within said District, at a  
3 meeting to be specially called and held for the purpose, on

4 or before the first day of August, in the year nineteen hun-  
5 dred and thirteen and the mayor and aldermen of the City  
6 of Rockland are hereby authorized to call said meeting, and  
7 the board of registration of said City will make and pro-  
8 vide separate check lists for each ward of the legal voters  
9 of said city. Such special election shall be called, advertised  
10 and conducted according to the law relating to municipal  
11 elections, provided however, that the board of registration  
12 shall not be required to prepare, or the city clerk to post, a  
13 new list of voters. The city clerk shall reduce the subject  
14 matter of this act to the following question:

Shall the act to incorporate the Rockland Public Utilities  
16 District be accepted? And the voters shall indicate by a  
17 cross placed against the words Yes and No, their opinion of  
18 the same. The result will be canvassed and declared by the  
19 municipal officers of the City of Rockland, and due certifi-  
20 cates thereof filed by the City Clerk with the Secretary of  
21 State.

This act shall take effect when approved by the Governor  
23 so far as it is necessary to empower the calling and holding  
24 of such election.