

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

DATE: 3-26-99

(Filing No. H-112)

UTILITIES AND ENERGY

Reproduced and distributed under the direction of the Clerk of the House.

STATE OF MAINE
HOUSE OF REPRESENTATIVES
119TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1393, L.D. 1998, Bill, "An Act to Fulfill the Requirements of the Electric Restructuring Act"

Amend the bill in section 1 in subsection 9 by striking out all of the last paragraph (page 2, lines 1 to 14 in L.D.) and inserting in its place the following:

'Any subsequent regulated activity relating to any resulting parcel is subject to all applicable regulatory reviews and approvals by a municipality or state agency. A municipality or state agency, in its review of any subsequent regulated activity relating to any resulting parcel, may consider the division of ownership accomplished pursuant to the exemption granted under this subsection and may, in accordance with applicable standards established by law, rule or ordinance, deny or condition its approval based on the cumulative effect of that division of ownership and the subsequent regulated activity, as though both were occurring at the same time.'

For purposes of this subsection, "subsequent regulated activity" means any activity occurring after a division of ownership accomplished pursuant to the exemption granted under this subsection that is subject to regulatory review by a municipality or state agency, including any change of use, division of ownership or development. For purposes of this subsection, "resulting parcel" means a lot or parcel of real property resulting from a division of ownership accomplished pursuant to an exemption granted under this subsection.'

COMMITTEE AMENDMENT

R.S.

2

SUMMARY

4
6
8
10
12
14

This amendment modifies the language of that portion of the bill concerning regulatory reviews of subsequent regulated activities on lands whose ownership has been divided pursuant to a divestiture by an electric utility. The modifications clarify that such subsequent activities otherwise subject to regulatory review are in fact subject to such review and that the cumulative effect of that subsequent activity and the division of ownership accomplished pursuant to an exemption granted under the bill may be reviewed by the regulatory entity. However, activities that would not otherwise be subject to review do not trigger review of the division of ownership.