

MAINE STATE LEGISLATURE

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132nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2025

Legislative Document

No. 1160

H.P. 765

House of Representatives, March 20, 2025

**An Act to Prohibit Ownership of 6 Percent or More or Control of a
Public Utility by an Entity Providing Aid to a Foreign Terrorist
Organization**

(EMERGENCY)

Reference to the Committee on Energy, Utilities and Technology suggested and ordered printed.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative CARLOW of Buxton.
Cosponsored by Senator BENNETT of Oxford.

1 **Emergency preamble.** Whereas, acts and resolves of the Legislature do not
2 become effective until 90 days after adjournment unless enacted as emergencies; and

3 **Whereas,** current law does not prohibit the ownership or control of the State's critical
4 public utility service providers by entities providing aid to foreign terrorist organizations;
5 and

6 **Whereas,** an entity influenced by those who provide aid to foreign terrorist
7 organizations is too dangerous to operate in the State; and

8 **Whereas,** immediate action is necessary to ensure the safety and reliability of utility
9 services relied upon by all residents of the State; and

10 **Whereas,** in the judgment of the Legislature, these facts create an emergency within
11 the meaning of the Constitution of Maine and require the following legislation as
12 immediately necessary for the preservation of the public peace, health and safety; now,
13 therefore,

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

15 **Sec. 1. 35-A MRSA §708, sub-§2, ¶A-1** is enacted to read:

16 A-1. The commission may not approve a reorganization pursuant to this section if the
17 reorganization would result in the ownership of 6% or more or control of a public utility
18 or the parent company of a public utility by an entity that the commission finds has
19 provided material aid or comfort to an organization that is designated by the United
20 States Secretary of State as a foreign terrorist organization in accordance with the
21 United States Immigration and Nationality Act, Section 219.

22 **Sec. 2. 35-A MRSA §720** is enacted to read:

23 **§720. Public utility ownership of 6% or more or control by entity supporting foreign**
24 **terrorist organization prohibited**

25 Notwithstanding any provision of law to the contrary, an entity that the commission
26 finds has provided material aid or comfort to an organization that is designated by the
27 United States Secretary of State as a foreign terrorist organization in accordance with the
28 United States Immigration and Nationality Act, Section 219 may not own 6% or more and
29 may not control a public utility or the parent company of a public utility. If the commission
30 finds, after investigation and an adjudicatory proceeding, that a public utility is in violation
31 of this section, the commission shall order divestiture of or by the public utility.

32 **Emergency clause.** In view of the emergency cited in the preamble, this legislation
33 takes effect when approved.

34 **SUMMARY**

35 This bill prohibits the ownership of 6% or more or control of a public utility or the
36 parent company of a public utility by an entity that the Public Utilities Commission finds
37 to have provided material aid or comfort to an organization that is designated by the United
38 States Secretary of State as a foreign terrorist organization. If the commission finds, after
39 conducting an investigation and an adjudicatory proceeding, that a public utility is in
40 violation of the law, the commission must order divestiture of or by the public utility.