

MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION
2

3 ONE HUNDRED AND ELEVENTH LEGISLATURE
4

5 Legislative Document

No. 923

6
7 S.P. 309

In Senate, February 28, 1983

8 Referred to the Committee on Public Utilities. Sent down for concurrence
9 and ordered printed.

10 JOY J. O'BRIEN, Secretary of the Senate

Presented by Senator Carpenter of Aroostook.

Cosponsors: Speaker J. Martin of Eagle Lake and Senator Violette of
Aroostook.

11
12 STATE OF MAINE
13

14 IN THE YEAR OF OUR LORD
15 NINETEEN HUNDRED AND EIGHTY-THREE
16

17 AN ACT to Provide for a Feasibility
18 Study and a Referendum on Public Power in
19 Aroostook County.
20

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

23 Sec. 1. Joint Select Committee on Public Power.

24 1. Joint Select Committee on Public Power; estab-
25 lished. There is established a Joint Select Committee
26 on Public Power, to be composed of 3 members of the
27 joint standing committee of the Legislature having
28 jurisdiction over public utilities, a member desig-
29 nated by the President of the Senate, a member desig-
30 nated by the Speaker of the House of Representatives
31 and a staff member designated by the Chairman of the
32 Public Utilities Commission.

1 2. Study. The committee shall study the feasi-
2 bility of establishing a public electric power
3 authority in Aroostook County to generate and sell
4 electricity, to develop energy conservation programs
5 and to develop alternate energy sources, but not to
6 engage in distribution of electricity for public use.

7 3. Findings. The committee shall report its find-
8 ings to the voters of the State by September 3, 1984.
9 Within 90 days of the final report, the committee
10 shall circulate its draft findings for public comment
11 and shall present them in at least 3 public hearings,
12 2 in Aroostook County. The final report shall address
13 the comments received.

14 4. Report based on study. The report shall be
15 based on an objective, unbiased study to be performed
16 by a competent contractor selected by the committee.
17 The committee shall have responsibility for oversight
18 of the contract. That study shall consider:

19 A. The experience with public power in other
20 states;

21 B. The financial implications of public power for
22 electric rates and for bonding capability;

23 C. The implications of public, as contrasted to
24 private, decision making on electric power plan-
25 ning;

26 D. The legal implications of public power,
27 including the federal tax implications and the
28 ability of a subdivision of the State to pledge
29 the credit of the State;

30 E. A survey of possible generating facilities
31 which could be acquired or constructed by a
32 public power authority in Aroostook County; and

33 F. Such other items as the committee requires.

34 5. Appropriation. There is appropriated from the
35 Legislative Account for the work of the Joint Select
36 Committee on Public Power, including expenses for the
37 study specified in subsection 4, for expert witness
38 and for travel and per diem expenses, the sum of
39 \$25,000.

1 Sec. 2. Referendum. The following question shall
2 be submitted to the voters of the State in the manner
3 prescribed by law for holding a statewide election,
4 at the general election in the month of November,
5 1984. The city aldermen, town selectmen and
6 plantation assessors of this State shall notify the
7 inhabitants of their respective cities, towns and
8 plantations to meet, in the manner prescribed by law
9 for holding a statewide election, to vote on the ac-
10 ceptance or rejection of this Act by voting on the
11 following question:

12 "Shall a public electric power authority be
13 established in Aroostook County to generate and sell
14 electricity, to develop energy conservation programs,
15 and to develop alternate energy sources?"

16 The legal voters of each city, town and
17 plantation shall vote by ballot on this question and
18 shall designate their choice by a cross or check mark
19 placed within a corresponding square below the words
20 "Yes" or "No." The ballots shall be received, sorted,
21 counted and declared in open ward, town and
22 plantation meetings and returns made to the Secretary
23 of State in the same manner as votes for members of
24 the Legislature. The Governor shall review the
25 returns, and if it appears that a majority of the
26 legal votes are in favor of the Act, the Governor
27 shall proclaim that fact without delay. In the event
28 that the voters approve the question, the Legislature
29 shall enact such legislation as may be necessary to
30 implement the creation of the public power authority
31 by June 30, 1985.

32 The Secretary of State shall prepare and furnish
33 to each city, town and plantation all ballots,
34 returns and copies of this referendum necessary to
35 carry out the purposes of this referendum.

36 STATEMENT OF FACT

37 Electric power is an essential service and many
38 citizens have been hurt by rising electric rates.
39 Planning for the provision of that service, although
40 regulated by the Public Utilities Commission, has
41 been primarily a matter of private corporate deci-
42 sion.

1 Particularly in Aroostook County, certain deci-
2 sions on new generating facilities are causing severe
3 financial difficulties for both the consumers and the
4 utilities.

5 This bill provides for a careful unbiased profes-
6 sional study comparing public and private power for
7 the generation of electricity, development of energy
8 conservation programs and the development of alter-
9 nate energy sources.

10 On the basis of that study, the voters in refer-
11 endum would then have the opportunity to decide
12 whether to establish a public power authority in
13 Aroostook County.

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