

# MAINE STATE LEGISLATURE

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L.D. 2488

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(Filing No. H- 750 )

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STATE OF MAINE

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HOUSE OF REPRESENTATIVES

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111TH LEGISLATURE

6

THIRD SPECIAL SESSION

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COMMITTEE AMENDMENT " A " to H.P. 1891,

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L.D. 2488, Bill, "AN ACT to Allow the Establishment

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of Generation and Transmission Cooperatives for the

10

Purpose of Reducing Borrowing Costs for Ratepayers."

11

Amend the Bill by inserting after the enacting

12

clause the following:

13

'Sec. 1. 35 MRSA §2806 is amended to read:

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§2806. Nonliability of members for debts of coopera-  
tive

15

16

No member shall be liable or responsible for any

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debts of the cooperative and the property of the mem-

18

bers shall not be subject to execution therefor.

19

This section shall not apply to a generation and

20

transmission cooperative organized in accordance with

21

chapter 228.

22

Sec. 2. 35 MRSA §2841 is amended to read:

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§2841. Incorporators

24

Five or more natural persons or 2 or more cooper-

25

atives may organize a cooperative in the manner pro-

26

vided.

27

This section shall not apply to a generation and

28

transmission cooperative organized in accordance with

29

chapter 228.

30

Sec. 3. 35 MRSA §2845, sub-§4 is amended to

31

read:

COMMITTEE AMENDMENT "A" to H.P. 1891, L.D. 2488

1           4. Quorum. Unless the bylaws prescribe the pres-  
2       ence of a greater percentage or number of the members  
3       for a quorum, a quorum for the transaction of busi-  
4       ness at all meetings of the members of a cooperative,  
5       having not more than 1,000 members, shall be 5% of  
6       all members, present in person, and of a cooperative,  
7       having more than 1,000 members, shall be 50 members,  
8       present in person. If less than a quorum is present  
9       at any meeting, a majority of those present in person  
10      may adjourn the meeting from time to time without  
11      further notice.

12      This section shall not apply to a generation and  
13      transmission cooperative organized in accordance with  
14      chapter 228. A quorum for such a cooperative shall  
15      be specified in the bylaws.'

16           Further amend the Bill by striking out all of the  
17       first line after the enacting clause and inserting in  
18       its place the following:

19           'Sec. 4. 35 MRSA c. 228 is enacted to read:'

20           Further amend the Bill by striking out all of  
21       that part designated "§2932." and inserting in its  
22       place the following:

23       '§2932. Generation and transmission cooperatives are  
24       public utilities

25       Cooperatives formed under this chapter shall be  
26       public utilities and subject to the requirements of  
27       this Title, except for those requirements of chapters  
28       221 to 227 which are inconsistent with the operation  
29       of cooperatives formed under this chapter, notwith-  
30       standing any public or private and special laws to  
31       the contrary. Those cooperatives shall require the  
32       authorization of the Public Utilities Commission to  
33       transmit, sell, supply or dispose of electric energy  
34       to any nonmember of the cooperative. That authoriza-  
35       tion may be granted by order or rule.'

COMMITTEE AMENDMENT "A" to H.P. 1891, L.D. 2488

1 STATEMENT OF FACT

2 This amendment clarifies the procedural and regu-  
3 latory requirements that apply to generation and  
4 transmission cooperatives.

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Reported by the Committee on Public Utilities  
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