

# MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

NO. 310

H.P. 242 House of Representatives, February 6, 1987  
Reference to the Committee on Utilities suggested and  
ordered printed.

EDWIN H. PERT, Clerk  
Presented by Representative MURPHY of Kennebunk.  
Cosponsored by Senators DUTREMBLE of York, CLARK of  
Cumberland and Representative ROLDE of York.

STATE OF MAINE

IN THE YEAR OF OUR LORD  
NINETEEN HUNDRED AND EIGHTY-SEVEN

AN ACT to Fairly Apportion the Cost of New  
Water Utility Expansion.

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

Sec. 1. 35 MRSA §73-A, sub-§1, as enacted by PL  
1985, c. 708, is amended to read:

1. System development charge authorized. In ad-  
dition to section 73, the governing body of a municip-  
al water department or quasi-municipal water dis-  
trict may establish and file, pursuant to section 69  
or 72, a system development charge which is just and  
reasonable to provide funds to finance capital out-  
lays for water system expansion caused by an increase  
in demand for service. In determining whether the  
charge is just and reasonable, the municipal water

1 department or quasi-municipal water district is not  
2 required to make an investment in the system develop-  
3 ment charge or to apply any income from customers as  
4 an adjustment to the system development charge.

5 Sec. 2. 35 MRSA §73-A, sub-§2, as enacted by PL  
6 1985, c. 708, is repealed.

7 STATEMENT OF FACT

8 The purpose of this bill is to expand the author-  
9 ity of local elected officials when a quasi-municipal  
10 water district or municipal department elects to as-  
11 sess a system development charge. This bill provides  
12 that the Public Utilities Commission may review the  
13 charge if 15% of the cutomers of the municipal or  
14 quasi-municipal water corporation, or 1,000 custom-  
15 ers, which ever is less, petition to have the charge  
16 reviewed. Otherwise, the charge which is approved by  
17 locally elected officials goes into effect.

18 In addition, the bill clarifies that it is the  
19 Legislature's intent that any investment in the ac-  
20 quisition of new customers is a matter properly de-  
21 cided by the locally elected authorities.

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