

MAINE STATE LEGISLATURE

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114th MAINE LEGISLATURE

FIRST SPECIAL SESSION - 1989

Legislative Document

No. 1813

H.P. 1309

House of Representatives, August 22, 1989

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.

Reference to the Committee on Utilities suggested and ordered printed.

A handwritten signature in cursive script that reads "Ed Pert".

EDWIN H. PERT, Clerk

Presented by Representative TOWNSEND of Eastport.

Cosponsored by Representative MOHOLLAND of Princeton and Representative TAMMARO of Baileyville.

STATE OF MAINE

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

**An Act to Allow the Sale of the Electric Portion of the Lubec Electric
and Water District.**

(EMERGENCY)



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

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6 **Whereas,** a referendum needs to be held on the provisions of
this Act in November 1989; and

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

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

16 **Sec. 1. P&SL 1951, c. 92, §19 is enacted to read:**

18 **19. Sale of electrical business.** The district may sell or
otherwise transfer the property, franchises, property rights,
20 privileges and assets, including land, poles, wiring, fixtures,
22 machinery, apparatus and appliances used or capable of being used
in connection with maintaining its electrical business, to a
24 regulated electric utility incorporated and doing business in the
State.

26 **Sec. 2. Agreement between the Lubec Water and Electric District, the
purchaser of the electric business and the Town of Lubec.** If the Lubec
28 Water and Electric District negotiates a sale or transfer of its
electric business, authorized in section 1 of this Act, the
30 provisions shall include an agreement between the Lubec Water and
Electric District, the purchaser and the Town of Lubec concerning
32 a renegotiation of the payment of an annual sum to the town under
sections 2 and 14 of the district's charter. The agreement may
34 include a continuation of the annual payment at the same or a
different rate by either the district or the purchaser or a
36 division of the proceeds of the sale between the district and the
town or any of these combinations.

38 **Sec. 3. Sale or transfer.** If the district sells or transfers
the electric business to another company, the district shall
40 submit legislation to the Legislature proposing a revision of its
charter within one year of the sale or transfer. The revised
42 charter shall establish the district as a water district.

44 **Sec. 4. Referendum.** The provisions of the sale or transfer
and agreements shall be approved by the voters of the Town of
46 Lubec in a referendum conducted in accordance with the law on
municipal elections.
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50 **Emergency clause.** In view of the emergency cited in the
preamble, this Act shall take effect when approved.
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STATEMENT OF FACT

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This bill allows for the sale of the electric portion of the
Lubec Water and Electric District.