

MAINE STATE LEGISLATURE

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L.D. 2438

(Filing No. S-631)

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**STATE OF MAINE
SENATE
114TH LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT "A" to S.P. 972, L.D. 2438, Bill, "An Act Concerning the Authority of the Public Utilities Commission to Order Competitive Bidding"

Amend the bill by striking out everything after the title and before the statement of fact and inserting in its place the following:

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

Whereas, it is necessary to suspend the operation of any rules conflicting with this act immediately; and

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

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

Sec. 1. Suspension of rule. The Public Utilities Commission may not issue any order, adopt any rule or implement any order or rule that requires, or requires the consideration of, competitive bidding or notice to potential competitive bidders for any construction project for interexchange facilities. Any rule or portion of a rule that conflicts with this section is suspended until January 1, 1991. If any portion of a rule is suspended under this section, that suspension does not affect any other portion of a rule that can be given effect.

Sec. 2. Report. The Public Utilities Commission shall review and evaluate the concerns of labor and management regarding the bidding provisions of the Maine Public Utilities Commission Rules, Chapter 280. The commission shall submit a

COMMITTEE AMENDMENT "A " to S.P. 972, L.D. 2438

2 report of its findings together with any recommendations to the
Joint Standing Committee on Utilities on or before January 1,
4 1991. A copy of that report must be forwarded to the Office of
the Executive Director of the Legislative Council.

6 **Emergency clause.** In view of the emergency cited in the
preamble, this Act takes effect when approved.

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FISCAL NOTE

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12 The Public Utilities Commission will incur some minor
additional costs related to this study and report. These costs
14 can be absorbed within the commission's existing budgeted
resources.'

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STATEMENT OF FACT

20 This amendment replaces the bill. It suspends the
implementation of any rule of the Public Utilities Commission
22 requiring the consideration of competitive bidding for
construction of telephone facilities until January 1, 1991. The
24 Public Utilities Commission shall submit a report to the Joint
Standing Committee on Utilities on or before January 1, 1991.
26 This amendment also includes a fiscal note and makes the bill an
emergency measure.

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Reported by Senator Bost for the Committee on Utilities.
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