

MAINE STATE LEGISLATURE

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115th MAINE LEGISLATURE

FIRST REGULAR SESSION-1990

Legislative Document

No. 8

S.P. 19

In Senate, December 5, 1990

Reference to the Committee on Utilities suggested and ordered printed.

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator KANY of Kennebec.

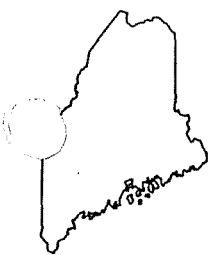
Cosponsored by Representative CARTER of Winslow, Representative JOSEPH of Waterville and Representative GWADOSKY of Fairfield.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY

An Act to Regulate Water Utilities.

(EMERGENCY)



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

Whereas, certain amendments to federal law may result in local water districts making costly additions or alterations to their existing water systems and thus requesting large rate increases; and

Whereas, proposals for extraordinary increases in water district rates will pose an extreme financial hardship on the citizens of the State; and

Whereas, the involvement of, and review by, the Public Utilities Commission will serve to minimize these rate increases; 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:

35-A MRSA §6104, sub-§1, as amended by PL 1987, c. 490, Pt. B, §12, is further amended to read:

1. **Application of this section.** Notwithstanding section 310, consumer-owned water utilities are subject to the suspension, investigation, hearing and rate substitution provisions of section 310 under the conditions specified in this section. This section does not apply to a proposed increase in rates, tolls or charges of more than 50% of a utility's annual operating revenues that is caused in part by costs associated with the construction of plants and facilities required by the 1986 amendments to the federal Safe Drinking Water Act, Public Law 93-523 or related projects.

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

STATEMENT OF FACT

This bill requires the Public Utilities Commission's approval of requests by water districts of rate increases of more than 50% of annual operating revenues that are caused in part by costs associated with requirements of the federal Safe Drinking Water Act.