

MAINE STATE LEGISLATURE

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115th MAINE LEGISLATURE

FIRST REGULAR SESSION-1991

Legislative Document

No. 1684

S.P. 636

In Senate, April 24, 1991

Reference to the Committee on Utilities suggested and ordered printed.

A handwritten signature in cursive script, reading "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator MATTHEWS of Kennebec

Cosponsored by Senator BOST of Penobscot and Representative CLARK of Millinocket.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY-ONE

**Resolve, to Establish a Commission to Study the Effects of Higher
Utility Charges on Nonprofit Institutions.**

(EMERGENCY)



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

Whereas, nonprofit institutions of the State, including religious institutions, are currently paying the same rates, known as "demand charges," for electricity service as are paid by industrial and commercial users; and

Whereas, in hard economic times, it is increasingly difficult for nonprofit institutions to pay these necessary expenses; and

Whereas, this legislation creates a study commission to determine the impact of these charges on nonprofit institutions and to explore whether some ways might be found to reduce these charges; and

Whereas, the study must be initiated before the 90-day period expires in order that the study may be completed and a report issued in time for submission to the next legislative session; 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

Sec. 1. Commission established. Resolved: That the Commission to Study the Effects of Higher Utility Charges on Nonprofit Institutions is established; and be it further

Sec. 2. Commission membership. Resolved: That the commission consists of the following 10 members: one Senator who serves on the Joint Standing Committee on Utilities to be appointed by the President of the Senate; one member of the House of Representatives who serves on the Joint Standing Committee on Utilities to be appointed by the Speaker of the House of Representatives; one representative of the Public Utilities Commission appointed by the Public Utilities Commission; the Director of the State Planning Office or the director's designee; the Director of Community Services or the director's designee; 3 representatives, each from a different electricity utility in the State, appointed by the President of the Senate and the Speaker of the House of Representatives after consultation with the utilities; and 2 representatives of nonprofit organizations in the State, including religious organizations, appointed by the President of the Senate and the Speaker of the House of Representatives; and be it further

2 **Sec. 3. Appointments; meetings. Resolved:** That all
4 appointments must be made no later than 30 days following the
6 effective date of this resolve. The Executive Director of the
8 Legislative Council must be notified by all appointing
10 authorities once the selections have been made. When the
12 appointment of all members has been completed, the Chair of the
14 Legislative Council shall call and convene the first meeting of
16 the commission no later than June 1, 1991. The commission shall
18 select a chair from among its members; and be it further

20 **Sec. 4. Duties. Resolved:** That the commission shall study the
22 effect of higher demand charges for electricity on nonprofit
24 institutions, including religious institutions, of the State and
26 whether it is feasible for these charges to be reduced for those
28 institutions. In examining this topic, the commission may:

30 1. Meet at such times and places as it determines
32 appropriate;

34 2. Hold informational sessions for discussions with
36 knowledgeable persons;

38 3. Conduct, summarize and analyze the results of a
40 literature search;

42 4. Conduct, tabulate and analyze the results of a survey of
44 the public or affected persons and groups;

46 5. Procure and analyze relevant data;

48 6. Conduct legal research and prepare opinions on legal
50 questions within the scope of the study; and

52 7. Determine and summarize the legislative actions or
54 governmental programs undertaken in other jurisdictions related
56 to issues within the scope of the study; and be it further

58 **Sec. 5. Staff assistance. Resolved:** That the commission shall
60 receive any necessary staff assistance from the Public Utilities
62 Commission; and be it further

64 **Sec. 6. Reimbursement. Resolved:** That the members of the
66 commission who are Legislators are entitled to receive the
68 legislative per diem, as defined in the Maine Revised Statutes,
70 Title 3, section 2, for each day's attendance of commission
72 hearings; and be it further

74 **Sec. 7. Report. Resolved:** That the commission shall submit
76 its report, together with any necessary implementing legislation,
78 to the Second Regular Session of the 115th Legislature no later
80 than November 1, 1991; and be it further

2 **Sec. 8. Appropriation. Resolved:** That the following funds are
3 appropriated from the General Fund to carry out the purposes of
4 this resolve.

1991-92

6 **LEGISLATURE**

8 **Commission to Study the Effects of Higher**
10 **Utility Charges on Nonprofit Institutions**

12 Personal Services
13 All Other

\$550
750

14 Provides funding for the Commission to Study
15 the Effects of Higher Utility Charges on
16 Nonprofit Institutions, including per diem
17 and expenses for legislative members,
18 printing costs and other meeting expenses.

20 **LEGISLATURE**

22 **TOTAL**

\$1,300

24 **Emergency clause.** In view of the emergency cited in the
25 preamble, this resolve takes effect when approved.

28 **STATEMENT OF FACT**

30 This resolve establishes the Commission to Study the Effects
32 of Higher Utility Charges on Nonprofit Institutions.