

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)



116th MAINE LEGISLATURE

FIRST REGULAR SESSION-1993

Legislative Document

No. 1502

S.P. 491

In Senate, May 13, 1993

**An Act to Identify Potential Costs of Utility Projects to Municipalities
and Corporations That Provide Services to Municipalities.**

(AFTER DEADLINE)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27.
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 President DUTREMBLE of York.
Cosponsored by Senator: SUMMERS of Cumberland, Representatives: CARON of Biddeford,
DUTREMBLE of Biddeford, KERR of Old Orchard Beach, NADEAU of Saco, PLOURDE of
Biddeford.

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

4 Sec. 1. 30-A MRSA §4352, sub-§4, as enacted by PL 1989, c.
104, Pt. A, §45 and Pt. C, §10, is amended to read:

6 4. Exemption for public service corporations. Real estate
8 used or to be used by a public service corporation is wholly or
10 partially exempt from an ordinance only when on petition, notice
12 and public hearing the Public Utilities Commission determines
14 that the exemption is reasonably necessary for public welfare and
convenience. This exemption does not apply to hydroelectric
projects that affect river water levels, which are subject to
municipal zoning ordinances and municipal review.

16 Sec. 2. 38 MRSA §641 is enacted to read:

18 §641. Additional requirements for public participation

20 In the course of licensing or relicensing an existing or
22 proposed hydroelectric project, a utility shall provide, in
24 addition to the requirements under section 640, the anticipated
26 costs and impact of the project, including:

28 1. Direct costs. An estimate of the direct costs to the
30 utility or ratepayers;

32 2. Associated costs. An estimate of the associated costs
34 to the utility, ratepayers or taxpayers, such as costs involved
36 in governmental studies and reviews and modifications in existing
38 water systems; and

40 3. Impact. The potential impact of the project on affected
42 property such as wells, irrigation systems, privately owned docks
44 and property values.

46 The utility shall submit this information to all agencies as
48 provided in section 640 and shall notify, in writing, all
potentially affected owners of property abutting the project or
the affected river or waterway.

42 STATEMENT OF FACT

44 This bill clarifies that hydroelectric projects that affect
46 river water levels are subject to municipal zoning ordinances and
48 municipal review. The bill also imposes additional requirements
on utilities to provide communities affected by their projects
notice of the impact and costs of those projects.