

# MAINE STATE LEGISLATURE

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# 117th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1995

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Legislative Document

No. 970

H.P. 713

House of Representatives, March 23, 1995

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### **An Act to Establish Qualifications for Public Utilities Commissioners.**

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Reference to the Committee on Utilities and Energy suggested and ordered printed.

A handwritten signature in cursive script that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative ADAMS of Portland.

Cosponsored by Representatives: ETNIER of Harpswell, GOOLEY of Farmington, GREEN of Monmouth, KONTOS of Windham, LUTHER of Mexico, MITCHELL of Portland, SAMSON of Jay, VOLENIK of Sedgwick, Senator: RAND of Cumberland.

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

4           **Sec. 1. 35-A MRSA §105, sub-§§3 and 4** are enacted to read:

6           **3. Qualifications.** The commissioners must be qualified as follows:

8           A. Each commissioner, during the commissioner's term of service, must be a resident of the State.

10           B. Each commissioner must be of proven ability and possess at least 5 years of experience in business, administration, advocacy, law, academics, economics, engineering, government, natural resources, energy or utility regulation.

12           C. At all times, at least one of the commissioners must be of proven ability and possess at least 5 years experience in a field listed in paragraph B in which at least one other commissioner does not have similar experience and ability.

14           D. Each commissioner must be of good character, compassionate and possess common sense.

16           **4. Oath of office.** Each commissioner, before entering upon the duties of the office, shall take the following oath administered by the Governor:

18           "I (name of commissioner) agree to uphold the constitution and laws of the United States and the State of Maine to the best of my ability in accordance with the duties of my office. I declare and affirm that I have no financial interest in any utility doing business in Maine and have no other conflict of interest, as defined under the laws of this State applicable to commissioners of the Public Utilities Commission, that causes me to be unqualified or unfit to be a commissioner."

20           **Sec. 2. 35-A MRSA §109, sub-§1,** as enacted by PL 1987, c. 141, Pt. A, §6, is amended to read:

22           **1. Public utilities.** No member or employee of the commission shall may:

24           A. Have any official or professional connection or relation with any public utility or affiliate of a public utility operating within this State;

26           B. Hold any stock or securities in any public utility or affiliate of a public utility operating within this State;

2 C. Render a professional service against any such public  
utility or affiliate of a public utility operating in this  
State; or

4 D. Be a member of a firm which that renders service against  
6 any such public utility or affiliate of a public utility  
operating in this State.

8 Sec. 3. 35-A MRSA §109, sub-§4 is enacted to read:

10 4. Disclosure. Each prospective commissioner, upon  
12 nomination by the Governor, and each commissioner, annually by  
June 30th of each year during the commissioner's term of service,  
14 shall file with the Commission on Governmental Ethics and  
Election Practices, established by Title 5, section 12004-G,  
16 subsection 33, a statement disclosing all sources of income  
during the previous 12 months.

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22 **STATEMENT OF FACT**

24 This bill establishes certain qualifications and standards  
for the position of Commissioner of the Public Utilities  
Commission.