

# MAINE STATE LEGISLATURE

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RUS

L.D. 372

DATE: 3-28-97

(Filing No. H-132)

**UTILITIES AND ENERGY**

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
118TH LEGISLATURE  
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 308, L.D. 372, Bill, "An Act to Require Employees of Public Utilities to Be Licensed When Providing Services Outside the Regulated Activities of the Utility"

Amend the bill by striking out everything after the enacting clause and before the summary and inserting in its place the following:

**'Sec. 1. 32 MRSA §1101, sub-§7 is enacted to read:**

**7. Public service corporation.** "Public service corporation" means a public utility, as defined in Title 35-A, section 102, or a person, firm or corporation subject to the jurisdiction of the Federal Communications Commission.

**Sec. 2. 32 MRSA §1102, sub-§1,** as repealed and replaced by PL 1973, c. 363, is repealed.

**Sec. 3. 32 MRSA §1102, sub-§1-A is enacted to read:**

**1-A. Public service corporations.** A public service corporation or an employee of a public service corporation making electrical installations in the course of the employee's employment, but only to the extent the electrical installations are made in the course of rendering a service subject to regulation by the Public Utilities Commission or the Federal Communications Commission.'

Further amend the bill by inserting at the end before the summary the following:

**COMMITTEE AMENDMENT**

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**FISCAL NOTE**

The Electricians' Examining Board within the Department of Professional and Financial Regulation may realize additional dedicated revenues from licensing fees as a result of new licensing requirements for certain public utility employees. The amounts can not be determined at this time.

This bill may increase prosecutions for Class E crimes. If a jail sentence is imposed, the additional costs to the counties are estimated to be \$83.78 per day per prisoner. These costs are not reimbursed by the State. The number of prosecutions that may result in a jail sentence and the resulting costs to the county jail system are expected to be insignificant.

The additional workload and administrative costs associated with the minimal number of new cases filed in the court system can be absorbed within the budgeted resources of the Judicial Department. The collection of additional fines may increase General Fund revenue by minor amounts.'

**SUMMARY**

This amendment strikes and replaces the bill. The amendment preserves the substance of that portion of the bill that modified the exemption public utilities are currently granted from the licensing requirements for making electrical installations. As in the bill, this amendment limits the exemption to electrical installations made by these utilities in the course of rendering a service that is itself regulated. Thus, when a utility renders a service that is outside its regulated service, the exemption does not apply and the person undertaking the installation must possess the applicable license. The amendment also clarifies the language of the exemption and removes an obsolete reference to the Interstate Commerce Commission.

The amendment also adds a fiscal note to the bill.