

MAINE STATE LEGISLATURE

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119th MAINE LEGISLATURE

FIRST REGULAR SESSION-1999

Legislative Document

No. 270

H.P. 192

House of Representatives, January 11, 1999

An Act to Create the Washington County Electricity Agency.

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 GOODWIN of Pembroke.
Cosponsored by Representative DUGAY of Cherryfield.

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

2 Sec.1. 35-A MRSA §3218 is enacted to read:

4 **§3218. Washington County Electricity Agency**

6 1. Established. The Washington County Electricity Agency,
8 referred to in this section as the "agency," is established as a
10 public aggregator, broker or marketer for consumers of
12 electricity located within Washington County.

14 2. Powers. The agency is authorized to:

16 A. Enter into agreements with consumers in Washington County
18 to serve as an aggregator, broker or marketer on their
20 behalf beginning on March 1, 2000; and

22 B. Negotiate and enter into agreements with competitive
24 electricity providers to purchase power on behalf of or
26 broker the purchase of power by consumers served by the
28 agency beginning on March 1, 2000.

30 3. Commissioners; chair. The affairs of the agency must be
32 managed by a board of 8 commissioners who must be residents of
34 Washington County and elected as follows:

36 A. One commissioner is elected by the voters within House
38 District 131, within Washington County, as defined in Title
40 21-A, section 1204, subsection 131, paragraph B;

42 B. One commissioner is elected by the voters within House
44 District 133, as defined in Title 21-A, section 1204;

46 C. One commissioner is elected by the voters within House
48 District 134, as defined in Title 21-A, section 1204;

50 D. One commissioner is elected by the voters within House
52 District 135, as defined in Title 21-A, section 1204;

E. One commissioner is elected by the voters within House
District 136, in Washington County, as defined in Title
21-A, section 1204, subsection 136, paragraph C; and

F. Three commissioners are elected at large by the voters
within Washington County.

The commissioners shall select annually, at their first meeting
on or after the first day of January, a chair to act for one year.

4. Elections; terms; vacancies. The first commissioners of
the agency must be elected on the Tuesday following the first
Monday of November in 1999. Elected and qualified commissioners

of the first board take office on January 1, 2000. The terms of the first board expire December 31, 2002. Subsequent boards are elected to 2-year terms on the Tuesday following the first Monday of November in each even-numbered year beginning in 2002. Terms of elected and qualified commissioners begin on January 1 of the year following their election. The votes must be received, sorted, counted and declared in the same manner as votes for members of the House of Representatives. Each municipal clerk shall record in the municipal records the names of the persons voted for, the number of votes for each and the number of ballots received. The municipal clerk shall send true copies of these records, sealed and attested in the same manner as returns of votes for State Senators, to the Secretary of State.

When a vacancy occurs in the office of agency commissioner by death, resignation, removal from the county, permanent incapacity or for any other reason, the County Commissioners of Washington County shall appoint a person to fill the vacancy. That person shall hold office until the first day of January following the next biennial election at which a person is elected to fill the office.

5. Commissioners; compensation; expenses. Commissioners of the agency are entitled to compensation, including compensation for expenses in executing their duties, only to the extent as may be expressly provided in any agreements that the agency has with customers. Compensation of the commissioners must be clearly identified and disclosed by the agency to all consumers served by the agency.

6. Conflict of interest. A person may not run for or hold office as a commissioner of the agency if the person owns, controls or otherwise has a direct financial interest in any competitive electricity provider.

SUMMARY

This bill establishes the Washington County Electricity Agency to serve as a public aggregator, broker or marketer for consumers of electricity located within Washington County. The agency is authorized to enter into agreements with consumers to serve as a public aggregator, broker or marketer on their behalf beginning on March 1, 2000. It is also authorized to negotiate and enter into agreements with competitive electricity providers to purchase power on behalf of or broker the purchase of power by consumers served by the agency beginning on March 1, 2000. The agency is managed by a board of 5 elected commissioners who are entitled to receive compensation only to the extent as may be expressly provided in any agreements that the agency has with the consumers that it serves. A person may not run for or hold office as a commissioner of the agency if the person owns, controls or

2 otherwise has a direct financial interest in any competitive electricity provider.