

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND THIRTY-FIRST LEGISLATURE

FIRST REGULAR SESSION
December 7, 2022 to March 30, 2023

FIRST SPECIAL SESSION
April 5, 2023 to July 26, 2023

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NONEMERGENCY LAWS IS
JUNE 29, 2023

THE GENERAL EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
NONEMERGENCY LAWS IS
OCTOBER 25, 2023

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH THE MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Augusta, Maine
2023

§6431. Consolidation of consumer-owned water utilities into a single consumer-owned water utility

1. Petition. Upon a petition of 2 or more consumer-owned water utilities for the consolidation of the consumer-owned water utilities into a single consumer-owned water utility, the commission shall initiate a proceeding to determine whether the proposed consolidation is in the public interest.

2. Differing rates request. Two or more consumer-owned water utilities may request in the petition submitted in accordance with subsection 1 to have differing geographically based rate structures consistent with the service areas serviced by the petitioning utilities if the commission approves consolidation into a single consumer-owned water utility. The commission may disallow the use of differing rate structures if the commission finds it is not in the best interest of ratepayers.

3. Notice to customers; public meeting. Prior to the filing of a petition pursuant to subsection 1, the consumer-owned water utilities seeking consolidation must first hold a public meeting at which any customer may provide comment and may question the officials present regarding the proposed consolidation. The consumer-owned water utilities shall, at least 14 days prior to the public meeting required under this subsection, provide notice of the proposed consolidation and the meeting in a manner prescribed by the commission, including the date, time, place and purpose of the meeting to each of its customers. The notice must include a statement describing the consolidation. A public meeting held pursuant to this subsection must include a public comment period prescribed by the commission. After the public meeting, the governing bodies of the consumer-owned water utilities shall hold a meeting to deliberate and vote on the proposed consolidation, which may be modified on the basis of public comments received during the public meeting. The consumer-owned water utilities shall take minutes of the public meeting and the subsequent meeting of the governing bodies. Upon good cause shown, the commission may waive one or more of the requirements of this subsection.

4. Proceeding; approval. Upon a petition filed pursuant to subsection 1, the commission shall provide in a proceeding customers of the petitioning consumer-owned water utilities and other interested persons the opportunity to comment on or object to the proposed consolidation. Upon the conclusion of the proceeding, the commission shall issue a written decision. The commission may approve the consolidation petition or modifications of the petition upon a finding that the consolidation is in the public interest, subject to any reasonable conditions imposed by the commission.

5. Rulemaking. The commission may adopt rules to implement this section. Rules adopted pursuant to

this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

§6432. Consolidated consumer-owned water utility charter requirements; commission authority

1. Commission responsibility; charter creation. If the commission approves a petition of 2 or more consumer-owned water utilities for consolidation into a single consumer-owned water utility in accordance with section 6431, the commission shall provide the joint standing committee of the Legislature having jurisdiction over utilities matters a report on the consolidation of the utilities that includes a draft charter created in accordance with this section for the approved consumer-owned water utility. The committee may report out a bill for each approved water utility listed in the report.

2. Charter requirements. A consolidated consumer-owned water utility charter drafted by the commission pursuant to subsection 1 must:

A. Meet the requirements for a standard district in accordance with chapter 64; and

B. Specify that the consolidated consumer-owned water utility shall acquire all, and not less than all, of the plants, properties, assets, franchises, rights and privileges owned by the consumer-owned water utilities being consolidated, including, without limitation, all lands, buildings, waters, water rights, springs, wells, reservoirs, tanks, standpipes, mains, pumps, pipes, machinery, fixtures, hydrants, meters, services, tools, equipment and appliances used or useful in supplying water for domestic, sanitary, commercial, industrial and municipal purposes. The consideration to be paid for the plants, properties, assets, franchises, rights and privileges is the assumption by the consolidated consumer-owned water utility of all of the outstanding debts, obligations and liabilities of the consumer-owned water utilities being consolidated, including, without limitation, the assumption by the consolidated consumer-owned water utility of any outstanding notes or bonds of the consumer-owned water utilities being consolidated that are due on or after the date of the assumption.

See title page for effective date.

CHAPTER 326

H.P. 1098 - L.D. 1709

An Act to Update the Elevator and Tramway Safety Laws Regarding Construction Hoists

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

Sec. 1. 32 MRSA §15202, sub-§3-A is enacted to read:

3-A. Construction hoist. "Construction hoist" means a hoist that is not an integral part of a building or structure; is installed inside or outside the building or structure during the construction, alteration or demolition of the building or structure; and is used to raise and lower workers, other personnel and materials. "Construction hoist" does not include:

- A. An elevator that is temporarily installed in a hoistway during the construction of a building or structure and that incorporates a part of a permanent elevator that will be installed later;
- B. A hoist for raising and lowering materials that is not designed to carry workers or other personnel;
- C. A manlift that operates through a counterbalance mechanism or through the use of a continuous belt;
- D. A mine hoist;
- E. A wire rope hoist, whether guided or unguided; or
- F. A transport platform.

Sec. 2. 32 MRSA §15202, sub-§3-B is enacted to read:

3-B. Construction hoist operator. "Construction hoist operator" means a person who operates or is responsible for the operation of a construction hoist.

Sec. 3. 32 MRSA §15230 is enacted to read:
§15230. Construction hoist operators; rules

The director shall adopt rules regarding the proper operation of construction hoists and training requirements for construction hoist operators. After adoption of the rules, a person may not operate a construction hoist except as in accordance with the rules adopted by the director. Rules adopted under this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

See title page for effective date.

CHAPTER 327

H.P. 1102 - L.D. 1713

An Act to Update Electrical Education and Other Licensure Requirements for Electricians

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

Sec. 1. 32 MRSA §1202-A, as amended by PL 2019, c. 261, §1 and c. 503, Pt. B, §1, is repealed.

Sec. 2. 32 MRSA §1202-B is enacted to read:

§1202-B. Issuance and scope of licenses

A person licensed under this chapter must produce a copy of the license upon request of the state electrical inspector.

The board may adopt rules to carry out the purposes of this section. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

1. Apprentice electrician. Licensing for an apprentice electrician is governed by this subsection.

A. An apprentice electrician who is licensed in accordance with this subsection and registered with an apprenticeship program may perform electrical installations under the direct supervision of a master electrician, journeyman electrician or limited electrician.

B. The board may issue an apprentice electrician license to an individual who submits an application with the required fee and provides evidence of enrollment in a registered apprenticeship program that has been approved and validated by the United States Department of Labor, Employment and Training Administration, Office of Apprenticeship or by a State Apprenticeship Agency recognized by the Office of Apprenticeship.

2. Helper electrician. Licensing for a helper electrician is governed by this subsection.

A. A helper electrician who is licensed in accordance with this subsection may make electrical installations under the direct supervision of a master electrician, journeyman electrician or limited electrician. A helper electrician must be employed by a supervising master electrician, limited electrician or electrical company.

B. The board may issue a helper electrician license to an individual who submits an application with the required fee.

3. Journeyman-in-training electrician. Licensing for a journeyman-in-training electrician is governed by this subsection.

A. A journeyman-in-training electrician may make electrical installations while employed by a supervising master electrician, limited electrician or electrical company. A journeyman-in-training electrician may not supervise other electricians.

B. An applicant for a journeyman-in-training license must first pass an examination approved by the board. To qualify for the examination, an applicant must submit an examination application with the required fee and provide evidence of one of the following:

- (1) Completion of at least 2,000 work hours in the field of electrical installations as a licensed