

MAINE STATE LEGISLATURE

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LEGISLATIVE COUNCIL

AUGUST 21, 1985

PRELIMINARY AGENDA

I. CALL TO ORDER

II. ROLL CALL

III. SECRETARY'S REPORT

- Minutes of June 10, 11, 14, 18, 19, and 20, 1985 Council Meetings

IV. DIRECTOR'S REPORT

- Approved Step Increases
- Approved Out-of-State Travel

V. REPORTS FROM COUNCIL COMMITTEES

Item #1: Committee on Data and Word Processing

VI. OLD BUSINESS

VII. NEW BUSINESS

Item #1: Request from Joint Standing Committee on Utilities for approval of plan for recodification of MRSA 35.

Sarah C. Diamond
Legislative Administrative Director



MAINE STATE LEGISLATURE

Augusta, Maine 04333

DIRECTOR'S REPORT

AUGUST 21, 1985

Approved Step Increases

Lynn Randall, Deputy Law Librarian, from Step B to Step C

Approved Out-of-State Travel

Locke Kiermaier, Program Analyst, to attend the annual conference of the National Clearing House on Licensure, Enforcement and Regulation, Orlando, Florida, Sept. 9-10.

Grant Pennoyer, Budget Analyst and Shirrin Blaisdell, Budget Analyst to attend a National Workshop on Budgeting and Policy Making, Madison, Wisconsin, Sept. 9-10.

SENATE

JOHN E. BALDACCI, DISTRICT 10, CHAIR
THOMAS H. ANDREWS, DISTRICT 30
HARLES W. WEBSTER, DISTRICT 4

HAVEN WHITESIDE, LEGISLATIVE ASSISTANT
KATHY CROWLEY-PENDLETON, COMMITTEE CLERK



HOUSE

HARRY L. VOSE, EASTPORT, CHAIR
HARLAN BAKER, PORTLAND
EDWARD A. MCHENRY, MADAWASKA
HERBERT E. CLARK, MILLINOCKET
ALEXANDER RICHARD, MADISON
NORMAN E. WEYMOUTH, WEST GARDINER
EUGENE J. PARADIS, OLD TOWN
RALPH M. WILLEY, HAMPDEN
EARL G. NICHOLSON, SOUTH PORTLAND
MARY C. WEBSTER, CAPE ELIZABETH

STATE OF MAINE
ONE HUNDRED AND TWELFTH LEGISLATURE
COMMITTEE ON UTILITIES

August 12, 1985

Rep. John Diamond, Chair
Legislative Council
State House, Station 2
Augusta, ME 04333

Dear Representative Diamond:

The Joint Standing Committee on Utilities requests approval by the Legislative Council of the attached plan for the recodification of the Maine Revised Statutes, Title 35 (Public Utilities). That recodification was mandated by this year's Audit & Program Review Bill, chapter 481 of the Public Laws of 1985, a copy of which is attached.

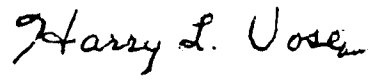
The Joint Standing Committee on Audit & Program Review recommended that the PUC statutes be recodified because the existing statutes are poorly organized; contain many outdated provisions and definitions; are not organized to reflect regulatory trends and contain sections pertaining to areas which are no longer within PUC's jurisdiction; are spread between the hard bound volume and the pocket part making referencing cumbersome; and create confusion for infrequent users. In addition they noted a need for a statutory statement of purpose for the Commission.

The legislation directed that the Joint Standing Committee on Utilities, with the approval of the Legislative Council, conduct the recodification. We believe the attached plan will be an efficient way to carry out that task.

We appreciate your consideration of this request and look forward to your response.


Sen. John E. Baldacci
Senate Chair

Sincerely,


Rep. Harry L. Vose
House Chair

HW/elk/3294

cc: Sally Diamond
Helen Ginder

SENATE

JOHN E. BALDACCI, DISTRICT 10, CHAIR
THOMAS H. ANDREWS, DISTRICT 30
CHARLES W. WEBSTER, DISTRICT 4

HAVEN WHITESIDE, LEGISLATIVE ASSISTANT
KATHY CROWLEY-PENDLETON, COMMITTEE CLERK



HOUSE

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STATE OF MAINE
ONE HUNDRED AND TWELFTH LEGISLATURE
COMMITTEE ON UTILITIES

August 14, 1985

RECOMMENDED COMMITTEE STUDY

- ° Committee: Joint Standing Committee on Utilities
- ° Subject: Recodification of Title 35
- ° Scope: A complete revision, redraft and rearrangement of the Maine Revised Statutes, Title 35, without substantive changes except for addition of a statement of purpose for the PUC.
- ° Reason: Required by statute (P.L. 1985, ch. 481, Part B), as recommended by the Report of the Joint Standing Committee on Audit & Program Review, 1984 Agency Reviews Recommendation #86.
- ° Anticipated Benefits: To remove or redraft outdated provisions, combined hardbound and pocket parts, improve the organization and generally to create a clear and well-organized volume.
- ° Completion Date: October, 1986 or earlier. we plan to begin circulating draft material this fall. As the study progresses we will be able to give a firmer estimate of the time schedule.
- ° Organization:
 - The study would involve the full Committee on Utilities. We request 4 meetings of the Committee in 1985 and 1986, three to review specific sections of a preliminary staff draft and one to review the final product. At least one of these meetings can be held during the session, so mileage and per diem are only requested for 3 meetings.
 - Staff assistance will be needed from our Legislative Assistant about equivalent to one normal study, along with some assistance from Legislative Research and Legislative Finance in reviewing the drafts.
 - The PUC has agreed to make a significant staff contribution by assigning a legal intern, under the supervision of their General Counsel, to this project.

HW/e1k/3295

APPROVED

CHAPTER

JUN 28 '85

481 11

BY GOVERNOR

RECEIVED

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-FIVE

S.P. 637 - L.D. 1653

AN ACT Relating to Periodic Justification of
Departments and Agencies of State
Government under the Maine Sunset
Laws.

Emergency preamble. Whereas, Acts of the Legis-
lature do not become effective until 90 days after
adjournment unless enacted as emergencies; and

Whereas, the 90-day period may not terminate un-
til after the beginning of the next fiscal year; and

Whereas, certain obligations and expenses inci-
dent to the operation of departments and agencies
will become due and payable on or immediately after
July 1, 1985; and

Whereas, certain independent agencies will termi-
nate unless continued by the Legislature prior to
June 30, 1985; and

Whereas, in the judgment of the Legislature,
these facts create an emergency within the meaning of
the Constitution of Maine and require the following
legislation as immediately necessary for the preser-
vation of the public peace, health and safety; now,
therefore,

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

PART A

jurisdiction over marine resources and audit and program review. The Department of Marine Resources shall forward to both legislative committees and the Legislative Finance Office, 30 days prior to commencing conversion, a report on the full cost of conversion, anticipated annual operating expenditures for vessel and expected research capability upon conclusion of that conversion. The department shall provide a schedule of planned research activities for the coming year.

PART B

Sec. 1. Recodification; purpose. The joint standing committee of the Legislature having jurisdiction over utilities shall have the responsibility for the recodification of the laws governing the Public Utilities Commission. The legislation resulting from this recodification shall be presented to the First Regular Session of the 113th Legislature.

The recodification shall include and consist of a complete revision, redraft and rearrangement of all sections of the Maine Revised Statutes, Title 35, pertaining to public utilities. A statement of purpose for the Public Utilities Commission shall be developed and included in the proposed redraft. Other than the statement of purpose, the recodification shall not involve substantive changes.

Sec. 2. Meetings. The joint standing committee of the Legislature having jurisdiction over utilities, with approval of the Legislative Council, shall determine how the recodification shall be undertaken, the size of the study committee should one be formed and the number of required meetings. The study shall commence 30 days upon enactment of this Part.

Sec. 3. Staffing. The Legislative Council shall assign legislative staff as appropriate to conduct this study. In addition, the Public Utilities Commission shall make commission staff available.

PART C

Sec. 1. 35 MRSA §6 is amended to read: