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## **An Act To Facilitate the Establishment of Tribal Electric Utility Districts**

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

**Sec. 1. 35-A MRS §3915**, as amended by PL 1995, c. 254, §11, is further amended to read:

### **§ 3915. Existing service areas**

~~A~~ Except as provided in subsection 1, a municipal power district may not serve as a public utility, as defined in section 102, without consent from the commission in accordance with section 2102.

**1. Tribal power districts.** A municipal power district formed by the Penobscot Nation or the Passamaquoddy Tribe pursuant to this chapter under the authority specified in Title 30, section 6206, subsection 1 may serve as a public utility within its respective Indian territory upon approval of the commission pursuant to this subsection. Upon application by the Penobscot Nation or the Passamaquoddy Tribe, the commission shall authorize a municipal power district formed by the Penobscot Nation or Passamaquoddy Tribe to serve its respective Indian territory and direct any transmission and distribution utility serving in that territory to convey to the district for reasonable compensation transmission and distribution assets located within the district.

### **SUMMARY**

Under current law, the Passamaquoddy Tribe and the Penobscot Nation possess the authority of municipalities within their respective Indian territories. Municipalities are authorized to form municipal power districts. This bill directs the Public Utilities Commission to authorize, upon application by the Passamaquoddy Tribe or Penobscot Nation, a municipal power district formed by the Passamaquoddy Tribe or Penobscot Nation to serve its respective Indian territory and to direct any transmission and distribution utility serving in that territory to convey to the district for reasonable compensation transmission and distribution assets located within the district.