

MAINE STATE LEGISLATURE

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119th MAINE LEGISLATURE

FIRST REGULAR SESSION-1999

Legislative Document

No. 756

S.P. 261

In Senate, January 28, 1999

Resolve, to Create a Task Force to Study Ways to Improve and Streamline the Regulation of Water Utilities.

(EMERGENCY)

Reference to the Committee on Utilities and Energy suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator GOLDTHWAIT of Hancock.
Cosponsored by Representatives: DAVIDSON of Brunswick, STANWOOD of Southwest Harbor.

2 **Emergency preamble.** Whereas, Acts and resolves of the
Legislature do not become effective until 90 days after
adjournment unless enacted as emergencies; and

4
6 Whereas, it is desirable to study state agencies' regulation
of water utilities; and

8 Whereas, unless this legislation is enacted as an emergency,
there will not be sufficient time in which to complete the study
before the Second Regular Session of the 119th Legislature; and

12 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 preservation of the public peace, health and
safety; now, therefore, be it

18 **Sec. 1. Task force created; duties. Resolved:** That there is
established the Task Force to Study the Regulation of Water
Utilities, referred to in this resolve as the "task force." In
order to advise the Governor and the Legislature on ways to
improve state regulation of water utilities by reducing
duplication, focusing regulatory efforts and improving the
efficiency of regulation, the task force shall:

26 1. Assess in an integrated manner the regulatory functions
that are currently being performed by various state agencies,
including the new capacity development provisions of the federal
Safe Drinking Water Act;

30 2. Determine which regulatory functions are essential;

32 3. Determine where the responsibility for essential
regulatory functions should reside;

36 4. Assess the feasibility of allowing qualified utilities
the option of being regulated at the local level; and

38 5. Investigate any other improvements to state regulation
of water utilities that may be accomplished.

42 The task force shall present its findings to the Governor and
Legislature and may make recommendations, including
recommendations for legislative changes; and be it further

46 **Sec. 2. Task force membership; chair. Resolved:** That the task
force consists of the following 10 members:

48 1. One representative from the Public Utilities Commission,
appointed by the chair of the commission;

2 2. One representative from the Office of the Public
Advocate, appointed by the Governor;

4
6 3. One representative from the Maine Public Drinking Water
Control Program, appointed by the Governor;

8 4. One representative from the Department of Environmental
Protection, appointed by the Governor;

10 5. One representative from a water utility serving a
12 population greater than 100,000 people, appointed by the Governor;

14 6. One representative from a water utility serving a
16 population of at least 10,001 people, but not more than 100,000
people, appointed by the Governor;

18 7. One representative from a water utility serving a
20 population of at least 3,301 people, but not more than 10,000
people, appointed by the Governor;

22 8. One representative from a water utility serving a
24 population of not more than 3,300 people, appointed by the
Governor;

26 9. The President of the Maine Water Utilities Association;
and

28 10. The Executive Director of the Maine Rural Water
30 Association.

32 The member representing the Public Utilities Commission shall
chair the task force; and be it further

34 **Sec. 3. Appointments; meetings. Resolved:** That all appointments
36 must be made no later than 30 days following the effective date
of this resolve. Within 15 days after all members have been
38 appointed, the chair shall call and convene the first meeting of
the task force. The task force may meet as often as necessary,
40 at the call of the chair; and be it further

42 **Sec. 4. Staffing. Resolved:** That the State Planning Office
shall provide staff assistance to the task force; and be it
44 further

46 **Sec. 5. Compensation. Resolved:** That task force members serve
without compensation; and be it further

48 **Sec. 6. Report. Resolved:** That the task force shall submit its
50 findings, together with any recommendations, including

2 legislation to the Governor and the Joint Standing Committee on
Utilities and Energy by January 15, 2000.

4 **Emergency clause.** In view of the emergency cited in the
preamble, this resolve takes effect when approved.

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SUMMARY

10 This resolve creates a task force to study the State's
regulation of water utilities. The task force is charged with
12 investigating ways in which state regulation may be improved.