

MAINE STATE LEGISLATURE

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Date: 3/31/9

(Filing No. H-33)

UTILITIES AND ENERGY

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
124TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 218, L.D. 275, Bill, "An Act To Amend the Charter of the Limestone Water and Sewer District"

Amend the bill by inserting after the title and before the enacting clause the following:

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

Whereas, the amendments proposed in this bill are necessary for the Limestone Water and Sewer District and the Loring Development Authority of Maine to proceed with the upgrade of the Greater Limestone Wastewater Treatment Facility; and

Whereas, the American Recovery and Reinvestment Act of 2009 was signed by the President on February 17, 2009, and within 120 days of signature the Department of Environmental Protection must obligate 50% of the \$30,000,000 allotted to the State for wastewater projects, such as the proposed upgrade to the Greater Limestone Wastewater Treatment Facility; and

Whereas, priority ranking for the wastewater project funding is a function of the project's readiness to proceed, and the readiness of the Greater Limestone Wastewater Treatment Facility project depends on the amendments contained in this Act; 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 preservation of the public peace, health and safety; now, therefore,'

Amend the bill striking out all of section 1 (page 1, lines 2 to 18 in L.D.) and inserting the following:

'Sec. 1. P&SL 1957, c. 59, §8-A is enacted to read:

Sec. 8-A. Wastewater facility board. If the district acquires title to the Greater Limestone Wastewater Treatment Facility, the board of trustees is expanded to form the

1 Greater Limestone Wastewater Treatment Facility Board, referred to in this section as
2 "the wastewater facility board," when the board of trustees considers those matters
3 pertaining to the management and oversight of the Greater Limestone Wastewater
4 Treatment Facility.

5 1. Composition of wastewater facility board. The wastewater facility board
6 consists of the 3 members of the board of trustees and 2 appointed members. One
7 appointed member must be appointed by the trustees of the Loring Development
8 Authority of Maine, and one appointed member must be a member of the Limestone
9 Board of Selectpeople appointed by the selectpeople. The 2 appointed members serve
10 without compensation and serve at the pleasure of their appointing entities and may be
11 removed without cause by their appointing entities at any time.

12 2. Function of wastewater facility board. Whenever the board of trustees takes up
13 matters concerning the management and oversight of the Greater Limestone Wastewater
14 Treatment Facility, the board of trustees shall sit as the wastewater facility board. At such
15 times, the appointed members of the wastewater facility board are entitled to sit with the
16 board of trustees and to speak and vote on those matters specifically relating to the
17 Greater Limestone Wastewater Treatment Facility, including, but not limited to,
18 operation and maintenance of that facility, compliance with environmental regulations
19 applicable to that facility, rate changes and changes in the terms and conditions of
20 wastewater service provided by the district to the Loring Development Authority of
21 Maine.'

22 Amend the bill in section 2 in the 5th line (page 1, line 23 in L.D.) by striking out the
23 following: "\$5,000,000" and inserting the following: '\$8,000,000'

24 Amend the bill by striking out all of section 3.

25 Amend the bill by adding before the summary the following:

26 **'Emergency clause.** In view of the emergency cited in the preamble, this
27 legislation takes effect when approved.'

28 SUMMARY

29 This amendment makes the following changes to the bill.

30 1. It clarifies the language in the bill regarding the Greater Limestone Wastewater
31 Treatment Facility Board. In particular, it clarifies the responsibilities of the board and
32 the board membership.

33 2. It also increases the district's debt limit to \$8,000,000 rather than to \$5,000,000 as
34 proposed in the bill.

35 3. It adds an emergency preamble and an emergency clause so that the Limestone
36 Water and Sewer District can take advantage of federal funding for wastewater projects
37 that is available under the American Recovery and Reinvestment Act of 2009, and it
38 clarifies the effective date of the provisions regarding the Greater Limestone Wastewater
39 Treatment Facility Board.