

MAINE STATE LEGISLATURE

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S.M.C.
R.O.P.S

Date: 4/2/12

(Filing No. H-879)

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ENERGY, UTILITIES AND TECHNOLOGY

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STATE OF MAINE

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HOUSE OF REPRESENTATIVES

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125TH LEGISLATURE

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SECOND REGULAR SESSION

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COMMITTEE AMENDMENT "A" to H.P. 1363, L.D. 1842, Bill, "An Act To Amend the Charter of the Bingham Water District "

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Amend the bill by striking out the title and substituting the following:

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'An Act To Amend the Charter of the Bingham Water District and To Direct That Certain Issues Be Studied'

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Amend the bill by striking out everything after the enacting clause and before the emergency clause and inserting the following:

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'PART A

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Sec. A-1. P&SL 1911, c. 13, §6, 2nd ¶ is repealed and the following enacted in its place:

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Each member is entitled to compensation as recommended by the trustees and approved by a majority vote of the municipal officers of the Town of Bingham and Concord Township. Certification of the vote must be recorded with the Secretary of State and recorded in the bylaws.

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Sec. A-2. P&SL 1911, c. 13, §6, last ¶ is amended to read:

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The said water district, at any legal meeting thereof called for the purpose, may adopt such ~~by laws~~ bylaws and provisions, not inconsistent with the constitution and laws of this ~~state~~ State and of the United States, as they ~~may deem~~ determine expedient and necessary for the good government and regulation of the municipal affairs of said the water district, ~~in which case, such by laws.~~ The bylaws and provisions so adopted shall apply to said the water district as fully, ~~to~~ for all intents and purposes, as the other provisions of this act, subject to alterations and additions only by a ~~two-thirds~~ simple majority vote of the legal voters of said the water district present and voting at a legal meeting thereof called for the purpose.

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COMMITTEE AMENDMENT

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PART B

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Sec. B-1. Public Utilities Commission to examine certain issues. The Public Utilities Commission shall convene a stakeholder group to examine financial issues related to the loss of customers by water utilities and the effect the loss has on the utilities' ability to pay for infrastructure as well as the effects on remaining customers. The commission shall invite participation from a broad range of interested entities. The stakeholder group shall examine whether there are appropriate means by which contributions to system costs may be collected from customers who discontinue service or from property owners whose property has been served or may be served by the system and if so how the collection may be done in a manner that is just and reasonable. The group may also examine readiness-to-service charges and requirements to take service or other mechanisms and shall seek to develop appropriate models for addressing issues created by the loss of customers by water utilities. The commission shall report the findings and recommendations of the stakeholder group, together with the commission's analysis of those findings and recommendations, and any proposals of the stakeholder group for changes to law to implement its recommendations to the joint standing committee of the Legislature having jurisdiction over energy, utilities and technology matters by February 15, 2013. The committee may report out a bill on the subject matter of the report to the First Regular Session of the 126th Legislature.'

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SUMMARY

This amendment removes a provision of the bill that authorizes the board of trustees of the Bingham Water District to adopt a resolution that provides that the minimum charge for water service continues to apply to property that is voluntarily disconnected from the system.

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This amendment directs the Public Utilities Commission to convene a stakeholder group to examine issues relating to the loss of customers by water utilities and the effect this has on the utilities' ability to pay for infrastructure and the effect on remaining customers. The commission is directed to invite participation from a broad range of interested entities. The stakeholder group is directed to examine whether there are appropriate means by which contributions to system costs may be collected from customers who discontinue service or from property owners whose property has been served or may be served by the system and if so how the collection might be done in a manner that is just and reasonable. The commission must report the findings and recommendations of the stakeholder group, together with any proposals for changes to law to implement the recommendations, to the joint standing committee of the Legislature having jurisdiction over energy, utilities and technology matters by February 15, 2013. The committee is authorized to report out a bill on the subject to the First Regular Session of the 126th Legislature.

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FISCAL NOTE REQUIRED
(See attached)



125th MAINE LEGISLATURE

LD 1842

LR 2779(02)

An Act To Amend the Charter of the Bingham Water District

Fiscal Note for Bill as Amended by Committee Amendment "A" (H-879)

Committee: Energy, Utilities and Technology

Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - General Fund

Fiscal Detail and Notes

The bill amends the charter of the Bingham Wter District to change the procedure by which the board of trustees receives compensation and changes the vote to amend the bylaws to require only a simple majority. The Public Utilities Commission (PUC) is required to convene a stakeholder group to examine issues relating to the loss of customers by water utilities, including the effects this has on utilities' ability to pay for infrastructure as well as the impact on remaining customers. The PUC must report the findings of the stakeholder group to the Legislature by February 15, 2013. These provisions result in a minor increase in costs to the PUC which can be absorbed within existing budgeted resources.