

MAINE STATE LEGISLATURE

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131st MAINE LEGISLATURE

FIRST REGULAR SESSION-2023

Legislative Document

No. 1111

H.P. 707

House of Representatives, March 9, 2023

An Act Concerning Contracts and Agreement for Large-scale Water Extraction

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

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative O'NEIL of Saco.
Cosponsored by Senator BENNETT of Oxford and
Representatives: COPELAND of Saco, GRAMLICH of Old Orchard Beach.

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

2 **Sec. 1. 35-A MRSA §6109-B, first ¶**, as enacted by PL 2009, c. 37, §1, is amended
3 to read:

4 Except as provided in subsection 5, this section governs any contract or agreement
5 between a consumer-owned water utility and another entity that involves the large-scale
6 extraction of water and the large-scale transportation of water. A consumer-owned water
7 utility may not enter into any contract or agreement governed by this section with a term
8 longer than 3 years.

9 **Sec. 2. 35-A MRSA §6109-B, sub-§1-A** is enacted to read:

10 **1-A. Local approval required.** In addition to the other requirements of this section,
11 a consumer-owned water utility may not enter into a contract or agreement subject to this
12 section, including, but not limited to, the renewal or extension of a contract or agreement
13 subject to this section, until the legislative body of each municipality and township located
14 within the watershed from which water is to be extracted and transported pursuant to that
15 contract or agreement has voted to approve such extraction and transportation.

16 **Sec. 3. 35-A MRSA §6109-B, sub-§2**, as enacted by PL 2009, c. 37, §1, is
17 amended to read:

18 **2. Public meeting required.** A consumer-owned water utility may not enter into a
19 contract or agreement subject to this section until at least 30 days after holding a public
20 meeting on the proposed contract or agreement in accordance with this subsection. The
21 public meeting must include:

22 A. A presentation by the consumer-owned water utility of the terms and conditions of
23 the proposed contract or agreement and the criteria to be used by the utility to decide
24 whether to enter into the contract or agreement; ~~and~~

25 A-1. A presentation of documentation demonstrating that the proposed contract or
26 agreement has received all local approval required under subsection 1-A; and

27 B. An opportunity for public comment on the proposed contract or agreement.

28 **Sec. 4. 35-A MRSA §6109-B, sub-§4**, as enacted by PL 2009, c. 37, §1, is
29 amended to read:

30 **4. Copy available for inspection.** Prior to the public meeting required under
31 subsection 2, the consumer-owned water utility shall make available for public inspection
32 a copy of the proposed contract or agreement and a copy of documentation demonstrating
33 that the proposed contract or agreement has received all local approval required under
34 subsection 1-A.

35 **SUMMARY**

36 This bill amends the State's laws concerning contracts and agreements for the large-
37 scale extraction and transportation of water by requiring any such contract or agreement to
38 be approved by a vote of the legislative body of each municipality and township located
39 within the watershed from which water is to be extracted and transported pursuant to that
40 contract or agreement. It also provides that a consumer-owned water utility may not enter

1 into any contract or agreement with another entity for the large-scale extraction and
2 transportation of water with a term longer than 3 years.