

MAINE STATE LEGISLATURE

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**STATE OF MAINE
117TH LEGISLATURE**

SECOND REGULAR SESSION

**BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
UTILITIES AND ENERGY**

JUNE 1996

MEMBERS:

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Sen. Philip E. Harriman
Sen. John J. Cleveland*

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Staff:

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ONE HUNDRED SEVENTEENTH LEGISLATURE
SECOND REGULAR SESSION

Summary Of Legislation Before The Joint Standing Committees
June 1996

We are pleased to provide this summary of bills that were considered by the 15 Joint Standing Committees of the Maine Legislature staffed by this office. The document is a compilation of bill summaries which describe each bill, committee amendments and other relevant amendments, as well as the final action taken on the bill. Also included are statistical summaries of bill activity this Session for the Legislature and each of its joint standing committees.

The document is organized for convenient reference to information on bills handled by the joint standing committees. It is organized alphabetically by committees and within committees by bill (LD) number. The committee report(s), prime sponsor for each bill and the lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are listed by paper number. Two indices, a subject index and a numerical index by LD number are provided for easy reference to bills. They are located at the back of the document. A separate publication, History and Final Disposition of Legislative Documents, may also be helpful in providing information on the disposition of bills.

Final action on each bill is noted to the right of the bill title. The abbreviations used for various categories of final action are as follows:

<i>CARRIED OVER</i>	<i>Bill carried over to Second Session</i>
<i>CON RES XXX</i>	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>CONF CMTE UNABLE TO AGREE</i>	<i>Committee of Conference unable to agree; bill died</i>
<i>DIED BETWEEN BODIES</i>	<i>House & Senate disagree; bill died</i>
<i>DIED ON ADJOURNMENT</i>	<i>Action incomplete when session ended; bill died</i>
<i>EMERGENCY</i>	<i>Enacted law takes effect sooner than 90 days</i>
<i>FAILED EMERGENCY ENACTMENT</i>	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED ENACTMENT</i>	<i>Bill failed to get majority vote</i>
<i>FAILED MANDATE ENACTMENT</i>	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>INDEF PP</i>	<i>Bill Indefinitely Postponed</i>
<i>ONTP</i>	<i>Ought Not To Pass report accepted</i>
<i>P&S XXX</i>	<i>Chapter # of enacted Private & Special Law</i>
<i>PUBLIC XXX</i>	<i>Chapter # of enacted Public Law</i>
<i>RESOLVE XXX</i>	<i>Chapter # of finally passed Resolve</i>
<i>UNSIGNED</i>	<i>Not signed by Governor within 10 days</i>
<i>VETO SUSTAINED</i>	<i>Legislature failed to override Governor's Veto</i>

Please note the effective date for all non-emergency legislation enacted in the Second Regular Session (unless otherwise specified in a particular law) is July 4, 1996.

LD 1620 **An Act to Amend the Charter of the East Boothbay Water District**

P & S 62
EMERGENCY

Sponsor(s)
HEINO

Committee Report
OTP-AM

Amendments Adopted
H-750
H-760

LD 1620 proposed to increase the debt limit of the East Boothbay Water District from \$475,000 to \$900,000. It also proposed to increase the salaries of the trustees from \$50 to \$200 and the treasurer's salary from \$200 to \$500.

Committee Amendment "A" (H-750) replaced the bill and proposed to decrease the territory of the East Boothbay Water District. It also proposed to remove from the district charter the ceiling on the salary that may be paid to the treasurer of the district, and instead to permit the trustees to fix the treasurer's salary. The amendment also proposed to remove the ceiling on trustees' compensation and to replace it with reference to the Maine Revised Statutes, Title 35-A, section 6303.

The amendment proposed to permit the trustees of the district to incur debt on behalf of the district in an amount exceeding the current debt limit by submitting a proposed new debt limit for approval in a local referendum, and proposed specific procedures for conducting such a referendum.

House Amendment "A" to Committee Amendment "A" (H-760) proposed to correct a technical error.

Enacted law summary

Private and Special Law 1995, chapter 62 decreases the territory of the East Boothbay Water District. It removes from the district charter the ceiling on the salary that may be paid to the treasurer of the district, and instead permits the trustees to fix the treasurer's salary. It also removes the ceiling on trustees' compensation and replaces it with reference to the Maine Revised Statutes, Title 35-A, section 6303.

It permits the trustees of the district to incur debt on behalf of the district in an amount exceeding the current debt limit by submitting a proposed new debt limit for approval in a local referendum, and specifies procedures for conducting such a referendum.

Chapter 62 was enacted as an emergency measure effective March 26, 1996.

See also LD 1638.

LD 1631 **An Act to Increase the Borrowing Capacity of the Ashland Water and Sewer District**

P & S 63
EMERGENCY

Sponsor(s)
DESMOND

Committee Report
OTP-AM

Amendments Adopted
H-761

LD 1631 proposed to increase the borrowing capacity of the Ashland Water and Sewer District from \$1,000,000 to \$1,500,000, effective upon approval by referendum.

Committee Amendment "A" (H-761) replaced the bill and proposed to permit the trustees of the Ashland Water and Sewer District to incur debt on behalf of the district in an amount not exceeding \$2,000,000 without obtaining approval of the voters, and to permit the trustees to incur debt exceeding that amount only upon approval by the inhabitants of the district. The amendment also proposed specific procedures for obtaining approval by local referendum.

Enacted law summary

Private and Special Law 1995, chapter 63 permits the trustees of the Ashland Water and Sewer District to incur debt on behalf of the district in an amount not exceeding \$2,000,000 without obtaining approval of the voters, and permits the trustees to incur debt exceeding that amount only upon approval by the inhabitants of the district. The law also specifies procedures for obtaining approval by local referendum.

Chapter 63 was enacted as an emergency measure effective March 26, 1996.

**LD 1638 An Act to Revise the Charter of the Boothbay Harbor
Water System**

P & S 74
EMERGENCY

Sponsor(s)
HEINO
BEGLEY

Committee Report
OTP-AM

Amendments Adopted
H-795

LD 1638 proposed to amend the charter of the Town of Boothbay Harbor water system to clarify that the service area of the Boothbay Harbor water system includes territory also served by the East Boothbay Water District. It also proposed to grant to the Boothbay Harbor water system the exclusive authority to provide water services to portions of Boothbay and all of Boothbay Harbor and Southport, and the nonexclusive authority to provide water services to Squirrel Island, Mouse Island and other adjacent islands.

Committee Amendment "A" (H-795) replaced the bill and proposed to amend the title and to add a mandate preamble, an emergency preamble and an emergency clause. It proposed to repeal the charter of the Boothbay Harbor water system and to replace that original charter with updated language. The amendment proposed to clarify the service area of the Boothbay Harbor water system and to provide that any vacancies on the board of water commissioners are filled by appointment by the remaining 2 water commissioners, with the approval of the municipal officers. The amendment also proposed to add a fiscal note to the bill.

Enacted law summary

Private and Special Law 1995, chapter 74 repeals the charter of the Boothbay Harbor water system and replaces that original charter with updated language. It clarifies the service area of the Boothbay Harbor water system and provides that any vacancies on the board of water commissioners are filled by appointment by the remaining 2 water commissioners, with the approval of the municipal officers.

Chapter 74 was enacted as an emergency measure effective April 8, 1996.