

MAINE STATE LEGISLATURE

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*State Of Maine
120th Legislature*

Second Regular Session

Bill Summaries

*Joint Standing Committee
on
Utilities and Energy*

May 2002

Members:

*Sen. Norman K. Ferguson, Jr., Chair
Sen. Sharon Anglin Treat
Sen. David L. Carpenter*

*Rep. William R. Savage, Chair
Rep. Monica McGlocklin
Rep. Albion D. Goodwin
Rep. Lawrence Bliss*

*Rep. Christopher G. L. Hall
Rep. Peter L. Rines
Rep. Donald P. Berry, Sr.
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Rep. Royce W. Perkins
Rep. Richard A. Crabtree*

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Maine State Legislature
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120th Legislature
Second Regular Session

Summary Of Legislation Before The Joint Standing Committees
May 2002

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing select committees of the Maine Legislature this past session. The document is a compilation of bill summaries which describe each bill and relevant amendments, as well as the final action taken. 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 considered by the committees. It is arranged alphabetically by committee name 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. These bill summaries also are available at the Law and Legislative Reference Library and on the Internet (www.state.me.us/legis/opla).

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>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 IN CONCURRENCE</i>	<i>One body accepts ONTP report; the other indefinitely postpones the bill</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/FINAL PASSAGE</i>	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED ENACTMENT/FINAL PASSAGE</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>NOT PROPERLY BEFORE THE BODY</i>	<i>Ruled out of order by the presiding officers; bill died</i>
<i>INDEF PP</i>	<i>Bill Indefinitely Postponed</i>
<i>ONTP</i>	<i>Ought Not To Pass report accepted</i>
<i>OTP ND</i>	<i>Committee report Ought To Pass In New Draft</i>
<i>OTP ND/NT</i>	<i>Committee report Ought To Pass In New Draft/New Title</i>
<i>P&S XXX</i>	<i>Chapter # of enacted Private & Special Law</i>
<i>PASSED</i>	<i>Joint Order passed in both bodies</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>Bill held by Governor</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 25, 2002.

Patrick T. Norton, Interim Director
Offices located in Room 215 of the Cross Office Building

Joint Standing Committee on Utilities and Energy

1. Authorize the City of Brewer to hold a referendum on the dissolution of the Brewer Water District and the transfer of the district's assets to the city;
2. Upon approval of the referendum, and approval of a majority of the City Council of Brewer and a majority of the trustees of the district, require the transfer of the assets and obligations of the water district to the city;
3. Upon the transfer of the assets and obligations of the water district to the city, grant to the city authority, now possessed by the district, to take water from water sources outside the city, to serve customers outside the city, to lay pipe and exercise eminent domain outside the city, and to adopt rules to protect Hatcase Pond, which is located in the Town of Dedham and the Town of Eddington; and
4. Require the Public Utilities Commission, at the request of the city, to examine employment contracts of the district and authorize the commission to void a contract if the commission finds the contract was an unreasonable act of the district.

The amendment also proposed to add a fiscal note to the bill.

Senate Amendment "A" to Committee Amendment "A" (S-510) proposed to add an emergency preamble and clause and change language in the bill to allow submission of the issue of dissolution of the Brewer Water District to the voters of the City of Brewer at the June primary.

Enacted law summary

Private and Special Law 2001, chapter 66 authorizes the City of Brewer to hold a referendum on the dissolution of the Brewer Water District and the transfer of the district's assets to the city; upon approval of the referendum, and approval of a majority of the City Council of Brewer and a majority of the trustees of the district, requires the transfer of the assets and obligations of the water district to the city; upon the transfer of the assets and obligations of the water district to the city, grants to the city authority, now possessed by the district, to take water from water sources outside the city, to serve customers outside the city, to lay pipe and exercise eminent domain outside the city and to adopt rules to protect Hatcase Pond, which is located in the Town of Dedham and the Town of Eddington; and requires the Public Utilities Commission, at the request of the city, to examine employment contracts of the district and authorizes the commission to void a contract if the commission finds the contract was an unreasonable act of the district.

Private and Special Law 2001, chapter 66 was enacted as an emergency measure effective April 4, 2002.

LD 2159

An Act to Amend the Charter of the Corinna Water District to Allow for the Appointment of Trustees

**P & S 65
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAVIS P TOBIN J	OTP-AM	S-474

LD 2159 proposed to amend the charter of the Corinna Water District to provide for the appointment of trustees to the board of trustees of the Corinna Water District by the municipal officers of the Town of Corinna. It also proposed to repeal a provision requiring the trustees to be customers of the district.

Joint Standing Committee on Utilities and Energy

The current trustees of the Corinna Water District were appointed by the municipal officers of the Town of Corinna. In the change to the district's charter accomplished by Private and Special Law 2001, chapter 13, this was prospectively changed and the trustees' successors were to be elected. Under the bill, the trustees would again be appointed by the municipal officers of the Town of Corinna.

Committee Amendment "A" (S-474) proposed to provide that the new trustees of the Corinna Water District are to be appointed within 3 months of the effective date of the legislation. This amendment also proposed retroactively to extend the terms of existing trustees until their successors are appointed and retroactively to remove the requirement created by Private and Special Law 2001, chapter 13 that the trustees be residents of the district.

Enacted law summary

Private and Special Law 2001, chapter 65 amends the charter of the Corinna Water District to provide that its trustees are to be appointed by the municipal officers of the Town of Corinna. This law provides that the new trustees of the Corinna Water District are to be appointed within 3 months of the effective date of the legislation. The law retroactively extends the terms of existing trustees until their successors are appointed and retroactively removes the requirement created by Private and Special Law 2001, chapter 13 that the trustees be residents of the district.

Private and Special Law 2001, chapter 65 was enacted as an emergency measure effective April 2, 2002.

LD 2171

An Act to Withdraw from the Texas Low-level Radioactive Waste Disposal Compact

**PUBLIC 629
EMERGENCY**

Sponsor(s)
SAVAGE W
FERGUSON

Committee Report
OTP-AM

Amendments Adopted
H-1006

LD 2171 proposed to terminate the State's participation in an interstate compact with the states of Texas and Vermont for the disposal of low-level radioactive waste generated in the 3 states at a facility to be licensed and built in the State of Texas. There is a strong likelihood that the decommissioning of the Maine Yankee Atomic Power Company nuclear power plant will be completed prior to the opening of any disposal facility in Texas; remaining low-level waste generators in this State produce a small volume of waste that currently is accepted for disposal at facilities in South Carolina and Utah. Under the compact, the customers paying for Maine Yankee's decommissioning could eventually be exposed to a \$25,000,000 payment obligation for compact membership.

Committee Amendment "A" (H-1006) proposed to clarify certain language in the bill and repeal Public Law 1993, chapter 400, section 4 that enacted the text of the Texas Low-Level Radioactive Waste Disposal Compact.

Enacted law summary

Public Law 2001, chapter 629 terminates the State's participation in an interstate compact with the states of Texas and Vermont for the disposal in Texas of low-level radioactive waste generated in the 3 states.

Public Law 2001, chapter 629 was enacted as an emergency measure effective April 5, 2002.