

MAINE STATE LEGISLATURE

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*State Of Maine
121st Legislature*

*Second Regular Session and
Second Special Session*

Bill Summaries

*Joint Standing Committee
on
Utilities and Energy*

May 2004

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Members:

*Sen. Christopher G. L. Hall, Chair
Sen. Lynn Bromley
Sen. Edward M. Youngblood*

*Rep. Lawrence Bliss, Chair
Rep. Herbert Adams
Rep. Albion D. Goodwin
Rep. Peter L. Rines
Rep. Jacqueline A. Lundeen
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Rep. Philip A. Cressey, Jr.
Rep. Kenneth C. Fletcher
Rep. Maitland E. Richardson*

Maine State Legislature



*Office Of Policy And Legal Analysis
Office Of Fiscal And Program Review*

*121st Maine Legislature
Second Regular Session and
Second Special Session*

Summary Of Legislation Before The Joint Standing Committees

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing and joint 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/billsumm.htm).

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:

CON RES XXX.....	Chapter # of Constitutional Resolution passed by both Houses
CONF CMTE UNABLE TO AGREE	Committee of Conference unable to agree; bill died
DIED BETWEEN BODIES.....	House & Senate disagree; bill died
DIED IN CONCURRENCE.....	One body accepts ONTP report; the other indefinitely postpones the bill
DIED ON ADJOURNMENT.....	Action incomplete when session ended; bill died
EMERGENCY	Enacted law takes effect sooner than 90 days
FAILED EMERGENCY ENACTMENT/FINAL PASSAGE.....	Emergency bill failed to get 2/3 vote
FAILED ENACTMENT/FINAL PASSAGE.....	Bill failed to get majority vote
FAILED MANDATE ENACTMENT	Bill imposing local mandate failed to get 2/3 vote
NOT PROPERLY BEFORE THE BODY	Ruled out of order by the presiding officers; bill died
INDEF PP	Bill Indefinitely Postponed
ONTP.....	Ought Not To Pass report accepted
OTP-ND	Committee report Ought To Pass In New Draft
P&S XXX.....	Chapter # of enacted Private & Special Law
PASSED.....	Joint Order passed in both bodies
PUBLIC XXX.....	Chapter # of enacted Public Law
RESOLVE XXX.....	Chapter # of finally passed Resolve
UNSIGNED.....	Bill held by Governor
VETO SUSTAINED	Legislature failed to override Governor's Veto

Please note that the effective date for all non-emergency legislation enacted in the Second Regular Session (unless otherwise specified in a particular law) is April 30, 2004; and non-emergency legislation enacted in the Second Special Session is July 30, 2004. Four bills (LD's 1572, 1629, 1636 and 1637) that were considered at the First Special Session in August 2003 are also included in these summaries.

David C. Elliott, Director
Offices located in Room 215 of the Cross Office Building

Joint Standing Committee on Utilities and Energy

Enacted Law Summary

Public Law 2003, chapter 526:

1. Allows utilities to require the managing entity of time-share estates to collect and pay a unified utility bill. The procedures mirror those currently in law for collection of municipal taxes; and
2. Allows utilities and managing entities to make other mutually acceptable arrangements and preserves the authority utilities may have under other law to collect and recover assessments.

Public Law 2003, chapter 526 was enacted as an emergency and took effect on March 3, 2004.

LD 1672

An Act Concerning the Charter of the Dover and Foxcroft Water District

**P & S 39
EMERGENCY**

Sponsor(s)
ANNIS

Committee Report
OTP-AM

Amendments Adopted
H-734

LD 1672 proposed to amend the territory of the Dover and Foxcroft Water District and increase the number of trustees of the board of trustees of the Dover and Foxcroft Water District from 3 trustees to 5 trustees.

Committee Amendment "A" (H-734) proposed to replace the bill. The amendment was substantively the same as the bill with the exception that it proposed to modify and clarify the description of the district territory, clarify the debt limit language, remove the authority granted to the district in the bill to take water from sources outside the district but within the Town of Dover-Foxcroft and make it expressly clear that certain special water rights of the district do not exempt the district from otherwise applicable laws and rules, such as laws governing dams and water levels. The amendment proposed to unify those portions of the district's charter that the bill sought to preserve with the several new provisions, thus consolidating in one document all the provisions of the charter.

Specifically, the amendment proposed to:

1. Generally make the charter of the Dover and Foxcroft Water District conform with the standard water district model charter;
2. Preserve the following provisions of the current charter: provisions granting the district the franchise, property and rights of the Dover and Foxcroft Village Fire Company, which became the water district in 1903; provisions granting the district's rights to sell for manufacturing purposes power on its dam at Pratt's rips; provisions granting the district rights to take water from Garland Pond and to regulate the dam on it; and provisions relating to the district's authorization to refinance some debt through the Maine Municipal Bond Bank;
3. Change some provisions of the existing charter: remove the authority to create a pond by damming Meadow Brook; increase the number of trustees from 3 to 5; expand the territory of the district within the town to include the existing service territory, to accommodate a possible mill expansion and to include an area for a proposed

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standpipe; and set the district's debt limit at \$1,500,000 and allow the district to hold a referendum if it wishes to establish a higher debt limit; and

4. Authorize the district to take water from Salmon Stream Pond. Since 1926, the district has been using water from that pond as its water source.

Enacted Law Summary

Private and Special Law 2003, chapter 39:

1. Generally makes the charter of the Dover and Foxcroft Water District conform with the standard water district model charter;
2. Preserves the following provisions of the current charter: provisions granting the district the franchise, property and rights of the Dover and Foxcroft Village Fire Company, which became the water district in 1903; provisions granting the district rights to sell for manufacturing purposes power on its dam at Pratt's rips; provisions granting the district rights to take water from Garland Pond and to regulate the dam on it; and provisions relating to the district's authorization to refinance some debt through the Maine Municipal Bond Bank;
3. Changes some provisions of the existing charter: removes the authority to create a pond by damming Meadow Brook; increases the number of trustees from 3 to 5; expands the territory of the district within the town to include the existing service territory, to accommodate a possible mill expansion, and to include an area for a proposed standpipe; and sets the district's debt limit at \$1,500,000 and allows the district to hold a referendum if it wishes to establish a higher debt limit; and
4. Authorizes the district to take water from Salmon Stream Pond. Since 1926, the district has been using water from that pond as its water source.

Private and Special Law 2003, chapter 39 is not subject to referendum approval. It was enacted as an emergency, and took effect March 24, 2004.

LD 1683

**An Act Relating to the Establishment of a Central Maine Regional
Public Safety Communication Center**

PUBLIC 678

<u>Sponsor(s)</u> DAGGETT MOODY	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> S-454
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LD 1683 proposed to create the Central Maine Regional Public Safety Communication Center.

Committee Amendment "A" (S-454) proposed to replace the bill and change the title. This amendment proposed to establish the Maine Communications System Policy Board within the Department of Public Safety. The purpose of the board would be to establish policies, procedures and standards for the cooperative use of the department's communication systems by municipal, county and state governmental entities. The board would also be directed to develop an implementation plan for the voluntary consolidation of the various governmental communication