

# MAINE STATE LEGISLATURE

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*State Of Maine  
122nd Legislature*

*First Regular Session and  
First Special Session*

*Bill Summaries*

*Joint Standing Committee  
on  
Utilities and Energy*

*August 2005*

**Members:**

*Sen. Philip L. Bartlett II, Chair  
Sen. Scott W. Cowger  
Sen. Carol Weston*

*Rep. Lawrence Bliss, Chair  
Rep. Herbert Adams  
Rep. Peter L. Rines*

*Rep. Christopher W. Babbidge  
Rep. John R. Brautigam  
Rep. Kenneth C. Fletcher  
Rep. Maitland E. Richardson  
Rep. Philip A. Curtis  
Rep. Stacey Allen Fitts  
Rep. Everett W. McLeod, Sr.*

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Maine State Legislature

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122nd Legislature
First Regular Session and First Special Session

Summary of Legislation Considered by the Joint Standing Committees
August 2005

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 organized 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. A subject index for each committee is included immediately before the bill summaries for that committee, and a numerical index by LD number is included 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:

- CARRIED OVER ..... Bill Carried Over to Second Regular Session
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
OTP ND/NT..... Committee report Ought To Pass In New Draft/New Title
P&S XXX..... Chapter # of enacted Private & Special Law
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 the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is June 29, 2005; and for non-emergency legislation enacted in the First Special Session is September 17, 2005.

*Joint Standing Committee on Utilities and Energy*

LD 389

**An Act To Amend the Waldoboro Utility District**

**P & S 11  
EMERGENCY**

<u>Sponsor(s)</u> TRAHAN		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-180
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LD 389 proposed to clarify that a person may connect to a sewer of the Waldoboro Utility District upon obtaining a permit from the trustees of the district and upon payment of an entrance charge. The bill also proposed to provide that it is the place of residence of the voter who signs a nomination petition for a candidate for trustee, and not the candidate's place of residence, that is required on the petition. The bill also proposed to allow the district to collect rates for the purpose of establishing surplus reserve accounts.

**Committee Amendment "A" (H-180)** proposed to replace the section of the bill relating to the purposes for which the Waldoboro Utility District may collect rates. It proposed to conform those purposes in general to those that govern the rates of sanitary districts under the Maine Revised Statutes, Title 38, section 1202 but to include additional authority for the district to establish reserve accounts, as proposed in the bill. The amendment also proposed to make the expansion in rate-collection authority subject to referendum approval in the district. The amendment also proposed to provide a cross-reference to Title 38, Section 1251, which requires a notice and public hearing prior to the adoption of any new rate schedule by any sewer district.

*Enacted law summary*

Private and Special Law 2005, chapter 11 clarifies that a person may connect to a sewer of the Waldoboro Utility District upon obtaining a permit from the trustees of the district and upon payment of an entrance charge. It clarifies whose residence that must be written on a nomination petition for a candidate for district trustee. It updates the district's charter by cross-referencing the provisions of the Maine Revised Statutes governing trustee compensation and requirements for notice and public hearing prior to the adoption of new rate schedules. It also expands the purposes for which the Waldoboro Utility District may collect rates: It conforms those purposes in general to those that govern the rates of sanitary districts under the Maine Revised Statutes, Title 38, section 1202 but includes additional authority for the district to establish reserve accounts.

Private and Special Law 2005, chapter 11 was enacted as an emergency and took effect on May 13, 2005, except that portion of Private and Special Law 2005, chapter 11 that changes the purposes for which the district may collect rates took effect only for the purpose of permitting its submission to the voters of the district in a referendum.

**LD 397**

**An Act To Promote the More Efficient Use of Natural Gas**

**PUBLIC 110**

<u>Sponsor(s)</u> BLISS BARTLETT		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-185
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LD 397 proposed to require gas utilities that serve at least 5,000 residential consumers (Northern Utilities) to implement cost-effective conservation programs designed to promote efficient use of natural gas. The bill proposed to set minimum funding at 1% of the utility's total revenue; the funding would be recovered from the

