

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
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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 413 proposed to change the procedure by which the York Sewer District may be dissolved.

Committee Amendment "A" (S-281), which was the majority report of the Joint Standing Committee on Utilities and Energy, proposed to replace the bill. The amendment proposed to amend the charter of the York Sewer District to:

1. Cross-reference statutory law requiring municipal review and approval of sewer extensions;
2. Require the York Sewer District to include in its annual report audited financial statements and require the Town of York to include the district's report in the town's annual report;
3. Provide that decisions of the district relating to assessments for sewer construction may be appealed to the Town of York;
4. Establish a process for involuntary dissolution of the York Sewer District and for the transfer of its assets and obligations to the Town of York. The process would be initiated by citizen petition followed by a referendum vote within the town;
5. Add a referendum clause to the bill; and
6. Fix an incorrect reference in a prior private and special law.

Committee Amendment "B" (S-282), which was one of 2 minority reports of the Joint Standing Committee on Utilities and Energy, proposed to replace the bill. The amendment was the same as the majority report except that rather than establishing a process for the involuntary dissolution of the York Sewer District, it proposed to establish a process for the recall of the trustees of the York Sewer District.

Enacted law summary

Private and Special Law 2005, chapter 22 amends the charter of the York Sewer District to:

1. Cross-reference statutory law requiring municipal review and approval of sewer extensions;
2. Require the York Sewer District to include in its annual report audited financial statements and require the Town of York to include the district's report in the town's annual report;
3. Provide that decisions of the district relating to assessments for sewer construction may be appealed to the Town of York;
4. Establish a process for involuntary dissolution of the York Sewer District and for the transfer of its assets and obligations to the Town of York. The process is initiated by citizen petition followed by a referendum vote within the town; and
5. Fix an incorrect reference in the current charter.

Private and Special Law 2005, chapter 22 does not take effect unless approved by referendum vote within the district.