

MAINE STATE LEGISLATURE

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*State Of Maine
122nd Legislature*

Second Regular Session

Bill Summaries

*Joint Standing Committee
on
Utilities and Energy*

July 2006

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Maine State Legislature



Office of Policy and Legal Analysis Office of Fiscal and Program Review

122nd Maine Legislature Second Regular 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 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 (Pocket Veto).....	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 August 23, 2006.

Joint Standing Committee on Utilities and Energy

LD 1740

An Act To Establish the Athens Standard Water District

P & S 32

<u>Sponsor(s)</u> MILLS P		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> S-444
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LD 1740 proposed to establish the Athens Standard Water District.

Committee Amendment “A” (S-444) proposed to change the eligibility requirements for trustees of the Athens Standard Water District to require that a trustee be a taxpayer of the Town of Athens and a ratepayer of the district, rather than a resident of the district and a resident of a household that receives service from the district. The amendment also proposed to clarify that the management and allocation of a contribution of funds by the Department of Environmental Protection under the Maine Revised Statutes, Title 38, section 1364, subsection 5 and the income from those funds would not be not subject to investigation or review by the Public Utilities Commission, except upon request by the Department of Environmental Protection.

Enacted law summary

Private and Special Law 2005, chapter 32 establishes the Athens Standard Water District, subject to approval by referendum vote of the voters within the territory of the district.

LD 1744

An Act To Create the Washburn Water and Sewer District

P & S 41

<u>Sponsor(s)</u> MARTIN		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> S-476
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LD 1744 proposed to establish the Washburn Water and Sewer District.

Committee Amendment “A” (S-476) proposed to make the following changes to the bill:

1. Clarify that the bill creates a water and sewer district, rather than a standard water district;
2. Clarify and explicitly provide the necessary powers and authority with respect to sewer-related functions;
3. Change the provisions in the bill regarding the initial board of trustees to specify that the first trustees are appointed by the municipal officers of the Town of Washburn, set their terms and provide that subsequent trustees are elected to 3-year terms;
4. Add language to address the transfer of sewer-related infrastructure from the Washburn Water and Sewer Department to the Washburn Water and Sewer District;
5. Add language to address the transfer to the district of the debts, liabilities, contracts, licenses and permits of the department; and
6. Clarify that the approval by the Public Utilities Commission is required only for the transfer of the water utility portion of the department to the district.

Joint Standing Committee on Utilities and Energy

Enacted law summary

Private and Special Law 2005, chapter 41 establishes the Washburn Water and Sewer District and provides for the transfer of sewer-related infrastructure from the Washburn Water and Sewer Department to the Washburn Water and Sewer District. This law takes effect only if approved by the voters within the territory of the district.

LD 1829 **An Act To Allow for Access to Digital Phone Service for Customers in Rural Areas** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ROBINSON DIAMOND	ONTP	

LD 1829, a concept draft pursuant to Joint Rule 208, proposed to provide consumers in rural areas of the State access to digital telephone service provided by Internet service providers.

LD 1833 **An Act To Change the Charter of the St. Francis Water District** **P & S 33**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JACKSON	OTP-AM	H-746

LD 1833 proposed to amend the charter of the St. Francis Water District to allow town selectmen to serve on the water district board.

Committee Amendment “A” (H-746) proposed to replace the bill. The amendment proposed to change the charter of the St. Francis Water District to allow one member of the water district board of trustees to be a municipal officer of the Town of St. Francis. That member would be required to abstain from voting as a municipal officer pursuant to Title 35-A, section 6410, subsection 7 on the compensation of the district trustees.

Enacted law summary

Private and Special Law 2005, chapter 33 amends the charter of the St. Francis Water District to allow one member of the board of trustees to be a municipal officer of the Town of St. Francis. This trustee is required to abstain as a municipal officer from voting pursuant to Title 35-A, section 6410, subsection 7, on the compensation of trustees.