

# 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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Sen. Scott W. Cowger  
Sen. Carol Weston***

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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](http://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   |
| ONT P.....                                    | 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*

Department until June 30, 2007, and after that time the Town Council of the Town of Lisbon would fill such vacancies. The amendment proposed to change that date to June 30, 2006.

### ***Enacted law summary***

Private and Special Law, chapter 43 amends the charter of the Lisbon Water Department. It clarifies the terms of the members of the Board of Water Commissioners.

Private and Special Law, chapter 43 was enacted as an emergency measure effective March 24, 2006.

**LD 2018**

### **An Act To Allow Consolidation of the Winterport Sewerage District and the Winterport Water District To Create Incentives For Consumers To Pay Water Bills**

**P & S 50  
EMERGENCY**

Sponsor(s)  
KAELIN  
WESTON

Committee Report  
OTP-AM

Amendments Adopted  
H-958

LD 2018 proposed to provide for the acquisition of the Winterport Water District by the Winterport Sewerage District.

**Committee Amendment “A” (H-958)** proposed to replace the bill but to achieve the main purposes of the bill. It proposed to provide for the acquisition by the Winterport Water District of the assets, liabilities and duties of the Winterport Sewerage District. It also proposed to repeal most of the current charter of the Winterport Water District and to grant the district the powers and duties of a standard water district and of a sanitary district. It also proposed to update certain remaining provisions of the Winterport Water District charter.

The amendment proposed to authorize the town council of the Town of Winterport, at the request of the Winterport Water District’s board of trustees (who are appointed by the town council), to appoint alternate trustees to serve in the absence of one or more trustees. The alternates would be barred from serving as officers of the district, but would be permitted, to the extent authorized by the board of trustees, to attend meetings and otherwise act on behalf of an absent trustee.

The amendment also proposed to authorize the Winterport Water District to disconnect water service for nonpayment of sewer service. This provision would be repealed 90 days after the adjournment of the Second Regular Session of the 123rd Legislature. The Public Utilities Commission would be directed to monitor and report to the joint standing committee of the Legislature having jurisdiction over utilities matters on the district’s use of this authority and the committee would be authorized to report out a bill on this matter to the Second Regular Session of the 123rd Legislature.

## *Joint Standing Committee on Utilities and Energy*

### ***Enacted law summary***

Private and Special Law 2005, chapter 50 provides for the acquisition by the Winterport Water District of the assets, liabilities and duties of the Winterport Sewerage District, repeals most of the current charter of the Winterport Water District and grants that district the powers and duties of a standard water district and of a sanitary district. It also updates certain remaining provisions of the Winterport Water District charter.

It authorizes the town council of the Town of Winterport, at the request of the Winterport Water District's board of trustees, who are appointed by the town council, to appoint alternate trustees to serve in the absence of one or more trustees. The alternates are barred from serving as officers of the district, but may, as authorized by the board of trustees, attend meetings and otherwise act on behalf of an absent trustee.

It also authorizes the Winterport Water District to disconnect water service for nonpayment of sewer service. This provision is repealed 90 days after the adjournment of the Second Regular Session of the 123rd Legislature. The Public Utilities Commission is directed to monitor and report to the joint standing committee of the Legislature having jurisdiction over utilities matters on the district's use of this authority and the committee is authorized to report out a bill on this matter to the Second Regular Session of the 123rd Legislature.

Private and Special Law 2005, chapter 50 was enacted as an emergency measure and took effect on April 13, 2006 but only for the purpose of permitting its submission to the voters of the Town of Winterport.

**LD 2019**

**An Act To Amend the Charter of the Kennebunk Light and Power District**

**P & S 46  
EMERGENCY**

Sponsor(s)  
BABBIDGE  
SULLIVAN

Committee Report  
OTP-AM

Amendments Adopted  
H-835

LD 2019 proposed to raise the debt limit of the Kennebunk Light and Power District from \$2,000,000 to \$6,000,000, subject to local referendum. The bill also proposed to allow the district to increase its debt limit further by using the local referendum procedure provided by statute to water districts.

**Committee Amendment "A" (H-835)** proposed to clarify the referendum procedure that the Kennebunk Light and Power District may use to increase its debt limit.

### ***Enacted law summary***

Private and Special Law 2005, chapter 46 raises the debt limit of the Kennebunk Light and Power District from \$2,000,000 to \$6,000,000, subject to approval in a local referendum. It also allows the district to increase its debt limit in the future through a referendum procedure modeled on the procedure available to water districts under Title 35-A, section 6410.

Private and Special Law 2005, chapter 46 was enacted as an emergency measure and took effect on April 3, 2006 but the provision of the bill raising the debt limit of the district does not take effect unless approved by the voters within the district.