

MAINE STATE LEGISLATURE

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STATE OF MAINE
124TH LEGISLATURE
FIRST REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed during the First Regular Session of the 124th Maine Legislature coming from the

**JOINT STANDING COMMITTEE ON UTILITIES AND
ENERGY**

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STATE OF MAINE

124TH LEGISLATURE
FIRST REGULAR SESSION



LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* summarizes all bills and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 124th Maine Legislature.

The *Digest* is arranged alphabetically by committee, and within each committee by LD number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are summarized and listed by paper number. A subject index is included with each committee. The appendices include a summary of relevant session statistics, an index of all bills by LD number and an index of enacted laws by law type and chapter number.

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.....	Carried over to a subsequent session of the Legislature
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; bill died
ONTP (or Accepted ONTP report).....	Ought Not To Pass report accepted; bill died
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

The effective date for non-emergency legislation enacted in the First Regular Session of the 124th Legislature is September 12, 2009. The effective date for legislation enacted as an emergency measure is specified in the enacted law summary for those bills.

Joint Standing Committee on Utilities and Energy

1. Held a public meeting that includes opportunity for public comment at least 30 days before entering into such contract;
2. Provided public notice of the meeting and the proposed contract to each of the utility's customers, the Public Utilities Commission, the Office of the Public Advocate and affected municipalities, and in a newspaper of general circulation in the area served by the utility, at least 30 days prior to the meeting; and
3. Made a copy of the proposed contract available for public inspection prior to the meeting.

The amendment specifies that the requirements do not apply to any contract between a consumer-owned water utility and another entity that involves large-scale extraction and transportation of water when the entity contracting with the utility is an existing customer of the utility or is a water utility, or when the transportation of water to be provided under the contract qualifies as one of several exceptions in the laws governing restrictions on bulk transport of water.

Enacted Law Summary

Public Law 2009, chapter 37, prohibits a consumer-owned water utility from entering into a contract that involves large-scale extraction and transportation of water until the utility has:

1. Held a public meeting that includes opportunity for public comment at least 30 days before entering into such contract;
2. Provided public notice of the meeting and the proposed contract to each of the utility's customers, the Public Utilities Commission, the Office of the Public Advocate and affected municipalities, and in a newspaper of general circulation in the area served by the utility, at least 30 days prior to the meeting; and
3. Made a copy of the proposed contract available for public inspection prior to the meeting.

The law specifies that these requirements do not apply to any contract between a consumer-owned water utility and another entity that involves large-scale extraction and transportation of water when the entity contracting with the utility is an existing customer of the utility or is a water utility, or when the transportation of water to be provided under the contract qualifies as one of several exceptions in the laws governing restrictions on bulk transport of water.

Public Law 2009, chapter 37 was enacted as an emergency measure effective April 17, 2009.

LD 264 An Act To Amend the Surcharge for the E-9-1-1 System

**PUBLIC 416
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CLEARY	OTP-AM	H-437

This bill increases the statewide E-9-1-1 surcharge from 30¢ to 50¢ per month.

Committee Amendment "A" (H-437)

This amendment increases the E-9-1-1 surcharge from 30¢ to 37¢ effective July 1, 2009, and 52¢ effective July 1, 2010. The amendment also authorizes the Joint Standing Committee on Utilities and Energy to submit legislation regarding the E-9-1-1 surcharge to the Second Regular Session of the 124th Legislature. If the committee elects to submit legislation under this authority, the committee is required to consider certain information regarding the

Joint Standing Committee on Utilities and Energy

E-9-1-1 surcharge and the E-9-1-1 fund, including surcharge revenue history and projections, expenditure history and projections, unexpended amounts in the E-9-1-1 fund, opportunities to reduce expenditures related to the configuration of public safety answering points and designated uses of the E-9-1-1 fund. The amendment adds an appropriations and allocations section.

Enacted Law Summary

Public Law 2009, chapter 416 increases the E-9-1-1 surcharge from 30¢ to 37¢ effective July 1, 2009, and 52¢ effective July 1, 2010. It authorizes the Joint Standing Committee on Utilities and Energy to submit legislation regarding the E-9-1-1 surcharge to the Second Regular Session of the 124th Legislature. If the committee elects to submit legislation under this authority, the committee is required to consider certain information regarding the E-9-1-1 surcharge and the E-9-1-1 fund, including surcharge revenue history and projections, expenditure history and projections, unexpended amounts in the E-9-1-1 fund, opportunities to reduce expenditures related to the configuration of public safety answering points and designated uses of the E-9-1-1 fund.

Public Law 2009, chapter 416 was enacted as an emergency measure effective June 17, 2009.

LD 275 An Act To Amend the Charter of the Limestone Water and Sewer District

**P & S 5
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARTIN J L	OTP-AM	H-33

This bill establishes a board of directors for the Greater Limestone Wastewater Treatment Facility with responsibility for the regulation, management, operation and maintenance of the Greater Limestone Wastewater Treatment Facility and for rate changes and changes in the terms and conditions of service to the Loring Development Authority of Maine. The provisions of the bill establishing the board do not take effect unless the Limestone Water and Sewer District acquires title to the Greater Limestone Wastewater Treatment Facility by July 1, 2010. This bill also increases the district's debt limit from \$1,500,000 to \$5,000,000.

Committee Amendment "A" (H-33)

This amendment makes the following changes to the bill.

1. It clarifies the language in the bill regarding the responsibilities of the board and the board membership for the Greater Limestone Wastewater Treatment Facility Board.
2. It also increases the district's debt limit to \$8,000,000 rather than to \$5,000,000 as proposed in the bill.
3. It adds an emergency preamble and an emergency clause so that the Limestone Water and Sewer District can take advantage of federal funding for wastewater projects that is available under the American Recovery and Reinvestment Act of 2009, and it clarifies the effective date of the provisions regarding the Greater Limestone Wastewater Treatment Facility Board.

Enacted Law Summary

Private and Special Law 2009, chapter 5 establishes the Greater Limestone Wastewater Treatment Facility Board. The wastewater treatment facility board consists of the 3 members of the board of trustees of the Limestone Water and Sewer District and 2 appointed members. The wastewater treatment facility board is responsible for the regulation, management, operation and maintenance of the Greater Limestone Wastewater Treatment Facility and for rate changes and changes in the terms and conditions of service to the Loring Development Authority of Maine. The provisions of the law establishing the wastewater treatment facility board do not take effect unless the