

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
124<sup>TH</sup> LEGISLATURE  
SECOND REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed during the Second Regular Session of the 124<sup>th</sup> Maine Legislature coming from the

**JOINT STANDING COMMITTEE ON UTILITIES AND  
ENERGY**

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# STATE OF MAINE

124<sup>TH</sup> LEGISLATURE  
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## 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 Second Regular Session of the 124<sup>th</sup> 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:

<i>CARRIED OVER</i> .....	<i>Carried over to a subsequent session of the Legislature</i>
<i>CON RES XXX</i> .....	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>CONF CMTE UNABLE TO AGREE</i> .....	<i>Committee of Conference unable to agree; bill died</i>
<i>DIED BETWEEN HOUSES</i> .....	<i>House &amp; Senate disagree; bill died</i>
<i>DIED IN CONCURRENCE</i> .....	<i>One body accepts ONTP report; the other indefinitely postpones the bill</i>
<i>DIED ON ADJOURNMENT</i> .....	<i>Action incomplete when session ended; bill died</i>
<i>EMERGENCY</i> .....	<i>Enacted law takes effect sooner than 90 days</i>
<i>FAILED EMERGENCY ENACTMENT/FINAL PASSAGE</i> .....	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED ENACTMENT/FINAL PASSAGE</i> .....	<i>Bill failed to get majority vote</i>
<i>FAILED MANDATE ENACTMENT</i> .....	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>NOT PROPERLY BEFORE THE BODY</i> .....	<i>Ruled out of order by the presiding officers; bill died</i>
<i>INDEF PP</i> .....	<i>Bill Indefinitely Postponed; bill died</i>
<i>ONTP (or Accepted ONTP report)</i> .....	<i>Ought Not To Pass report accepted; bill died</i>
<i>P&amp;S XXX</i> .....	<i>Chapter # of enacted Private &amp; Special Law</i>
<i>PUBLIC XXX</i> .....	<i>Chapter # of enacted Public Law</i>
<i>RESOLVE XXX</i> .....	<i>Chapter # of finally passed Resolve</i>
<i>UNSIGNED</i> .....	<i>Bill held by Governor</i>
<i>VETO SUSTAINED</i> .....	<i>Legislature failed to override Governor's Veto</i>

The effective date for non-emergency legislation enacted in the Second Regular Session of the 124<sup>th</sup> Legislature is Monday, July 12, 2010. 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

This bill authorizes sanitary districts to waive automatic foreclosure of a sanitary district lien mortgage.

### Committee Amendment "A" (H-600)

This amendment makes it clear that a notice of waiver of automatic foreclosure must be dated.

### House Amendment "A" (H-630)

This amendment authorizes sewer districts and water utilities to waive automatic foreclosure of lien mortgages.

### Enacted Law Summary

Public Law 2009, chapter 490 authorizes sanitary and sewer districts as well as water utilities to waive automatic foreclosure of lien mortgages.

## LD 1601 An Act To Create the Lincolnville Sewer District

P & S 32

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WESTON	OTP-AM	S-360

This bill creates the Lincolnville Sewer District.

### Committee Amendment "A" (S-360)

This amendment makes certain technical changes to the bill to clarify that the Lincolnville Sewer District's purposes include providing water service in addition to sewer services, that the trustees of the new district have staggered terms as specified in the Maine Revised Statutes, Title 35-A, section 6410 and that after the first board is appointed by the municipal officers of the Town of Lincolnville trustees are elected and vacancies filled in accordance with the Title 35-A, section 6410. This amendment also provides that the trustees must be residents and voters of the district.

### Enacted Law Summary

Private and Special Law 2009, chapter 32 creates the Lincolnville Sewer District.

## LD 1643 An Act To Facilitate the Involvement of the Office of the Public Advocate in the FairPoint Communications Bankruptcy Case

P & S 30  
EMERGENCY

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HINCK HOBBINS	OTP-AM	H-618

This bill authorizes an allocation of \$100,000 to cover costs to be incurred through a contract for legal services to be provided by bankruptcy counsel for the FairPoint Communications bankruptcy proceedings in New York. This bill authorizes the Office of the Public Advocate to impose a special assessment to cover the cost of those legal services only on those telecommunications providers already subject to assessment under the Maine Revised Statutes, Title 35-A, section 116, subsection 8.

### Committee Amendment "A" (H-618)

## *Joint Standing Committee on Utilities and Energy*

This amendment adds an appropriations and allocations section.

### **Enacted Law Summary**

Private and Special Law 2009, chapter 30 authorizes an allocation of \$100,000 to cover costs to be incurred through a contract for legal services to be provided by bankruptcy counsel for the FairPoint Communications bankruptcy proceedings in New York. It authorizes the Office of the Public Advocate to impose a special assessment to cover the cost of those legal services only on those telecommunications providers already subject to assessment under the Maine Revised Statutes, Title 35-A, section 116, subsection 8.

Private and Special Law 2009, chapter 30 was enacted as an emergency measure effective March 1, 2010.

**LD 1644     An Act To Require That a Utility Company Notify the Owner of Property prior to Disconnecting Services**

**ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PILON BLISS	ONTP	

This bill requires the Public Utilities Commission to adopt rules requiring a utility to notify a landlord when residential utility service of a tenant is to be terminated or disconnected.

See also LD 1695.

**LD 1645     An Act To Streamline Collections for Consumer-owned Consolidated Water and Wastewater Utilities**

**PUBLIC 541  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FITTS	OTP-AM	H-698

This bill allows a consumer-owned water utility that also provides sewer services to disconnect water service to a user for nonpayment by that user of the utility's sewer service charges.

### **Committee Amendment "A" (H-698)**

This amendment imposes specific terms and conditions on any consumer-owned water utility authorized to provide sewer services that chooses to exercise the authority granted in the bill to disconnect water service for nonpayment of sewer service. The terms and conditions include requiring annual reports to the Public Utilities Commission regarding disconnections, requiring that the utility provide to the customer certain information about available assistance programs, prohibiting disconnection based on bills for estimated sewer usage and prohibiting disconnection of multiunit rental facilities greater than two units unless the owner occupies one of the units. A utility that has the disconnection authority under a charter provision enacted prior to August 1, 2010 is exempted from the prohibition relating to disconnection of multiunit rental facilities. The amendment requires the Public Utilities Commission to report to the joint standing committee of the Legislature having jurisdiction over utilities and energy matters by January 15, 2012 on disconnection actions taken by utilities as well as any commission recommendations for changes to the law. The amendment clarifies that its provisions apply to all combined water and sewer entities, including those that may already have similar authority in their charters. The amendment also adds an emergency preamble and emergency clause to the bill.