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Legislative Document

No. 686

H.P. 477

House of Representatives, February 28, 2017

An Act To Remove Restrictions on the Membership of Regional Water Councils

Reference to the Committee on Energy, Utilities and Technology suggested and ordered printed.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative POULIOT of Augusta.
Cosponsored by Representatives: DOORE of Augusta, HICKMAN of Winthrop, Senator BELLOWS of Kennebec.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 35-A MRSA §6802**, as enacted by PL 2005, c. 209, §1, is amended to
3 read:

4 **§6802. Regional water councils authorized**

5 Two or more water utilities may organize a regional water council by forming a
6 nonprofit corporation under Title 13-B, the membership of which is not restricted to
7 utilities owning, controlling, operating or managing only water ~~utilities~~ works. A water
8 utility is not required to become a member of a regional water council.

9 **Sec. 2. 35-A MRSA §6803**, as enacted by PL 2005, c. 209, §1, is amended to
10 read:

11 **§6803. Council organization**

12 The organizational documents of a regional water council must provide for
13 representation of each member. The documents must specify the organizational structure,
14 the method of withdrawal, the method of terminating the council and the grounds for
15 suspension of ~~member-water utilities~~ members.

16 **Sec. 3. 35-A MRSA §6807, sub-§§1 and 3**, as enacted by PL 2005, c. 209, §1,
17 are amended to read:

18 **1. Expenses.** The ~~member-water utilities~~ members of a regional water council may
19 contribute funds to meet the expenses of the council. Services of personnel, use of
20 equipment and office space and other necessary services may be accepted from members
21 as part of their financial support.

22 **3. Report.** A regional water council shall make an annual report of its activities to
23 ~~the member utilities~~ its members. The report must be filed with the Public Utilities
24 Commission and the drinking water program of the Department of Health and Human
25 Services.

26 **Sec. 4. 35-A MRSA §6808, sub-§1**, as enacted by PL 2005, c. 209, §1, is
27 amended to read:

28 **1. Public Utilities Commission.** The commission may receive, obtain and distribute
29 state, federal or other funds supporting regional water council tasks and may provide
30 assistance to regional water councils as appropriate. This subsection does not require the
31 commission to determine the appropriate disbursement of state, federal or other funds
32 among members of a regional water council and does not prohibit a regional water
33 council from obtaining, receiving or disbursing funds without commission involvement.

34 Nothing in this chapter limits the commission's jurisdiction or authority over water
35 utilities or other utilities that fall under the commission's jurisdiction that are members of
36 regional water councils.

SUMMARY

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This bill amends the laws regarding the authorization of regional water councils to remove the provision restricting membership to water utilities.