

STATE OF MAINE

IN THE YEAR OF OUR LORD
TWO THOUSAND AND TWELVE

H.P. 1363 - L.D. 1842

**An Act To Amend the Charter of the Bingham Water District and To Direct
That Certain Issues Be Studied**

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the Bingham Water District has lost a significant portion of its customer base in the last few years; and

Whereas, the Bingham Water District has invested in infrastructure improvements for its customers; and

Whereas, the debt obligations of the Bingham Water District are increasingly difficult to meet with fewer customers; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

PART A

Sec. A-1. P&SL 1911, c. 13, §6, 2nd ¶ is repealed and the following enacted in its place:

Each member is entitled to compensation as recommended by the trustees and approved by a majority vote of the municipal officers of the Town of Bingham and Concord Township. Certification of the vote must be recorded with the Secretary of State and recorded in the bylaws.

Sec. A-2. P&SL 1911, c. 13, §6, last ¶ is amended to read:

The ~~said~~ water district, at any legal meeting ~~thereof~~ called for the purpose, may adopt such ~~by laws~~ bylaws and provisions, not inconsistent with the constitution and laws of this ~~state~~ State and of the United States, as they ~~may deem~~ determine expedient and

necessary for the good government and regulation of the municipal affairs of ~~said~~ the water district, ~~in which case, such by laws.~~ The bylaws and provisions so adopted shall apply to ~~said~~ the water district as fully, to for all intents and purposes, as the other provisions of this act, subject to alterations and additions only by a ~~two-thirds~~ simple majority vote of the legal voters of ~~said~~ the water district present and voting at a legal meeting ~~thereof~~ called for the purpose.

PART B

Sec. B-1. Public Utilities Commission to examine certain issues. The Public Utilities Commission shall convene a stakeholder group to examine financial issues related to the loss of customers by water utilities and the effect the loss has on the utilities' ability to pay for infrastructure as well as the effects on remaining customers. The commission shall invite participation from a broad range of interested entities. The stakeholder group shall examine whether there are appropriate means by which contributions to system costs may be collected from customers who discontinue service or from property owners whose property has been served or may be served by the system and if so how the collection may be done in a manner that is just and reasonable. The group may also examine readiness-to-service charges and requirements to take service or other mechanisms and shall seek to develop appropriate models for addressing issues created by the loss of customers by water utilities. The commission shall report the findings and recommendations of the stakeholder group, together with the commission's analysis of those findings and recommendations, and any proposals of the stakeholder group for changes to law to implement its recommendations to the joint standing committee of the Legislature having jurisdiction over energy, utilities and technology matters by February 15, 2013. The committee may report out a bill on the subject matter of the report to the First Regular Session of the 126th Legislature.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

In House of Representatives, 2012

Read twice and passed to be enacted.

..... Speaker

In Senate, 2012

Read twice and passed to be enacted.

..... President

Approved 2012

..... Governor