

STATE OF MAINE

—
IN THE YEAR OF OUR LORD
TWO THOUSAND AND SEVENTEEN

—
H.P. 477 - L.D. 686

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

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

Sec. 1. 35-A MRSA §6801, as enacted by PL 2005, c. 209, §1, is amended to read:

§6801. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

1. Regional water council. "Regional water council" means a nonprofit corporation established for the benefit of 2 or more ~~water utilities~~ water-related entities pursuant to this chapter, where at least one of the organizing members is a water utility.

2. Water-related entity. "Water-related entity" means a water utility or a municipal or quasi-municipal entity owning, controlling, operating or managing sewer, sanitary or storm water works.

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

§6802. Regional water councils authorized

Two or more ~~water utilities~~ water-related entities may organize a regional water council by forming a nonprofit corporation under Title 13-B, the as long as one of the organizing members is a water utility. The membership of ~~which~~ a regional water council is restricted to ~~water utilities~~ water-related entities. A water utility is not required to become a member of a regional water council.

Sec. 3. 35-A MRSA §6803, as enacted by PL 2005, c. 209, §1, is amended to read:

§6803. Council organization

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

Sec. 4. 35-A MRSA §6804, sub-§1, ¶D, as enacted by PL 2005, c. 209, §1, is amended to read:

D. Exercise its powers and authority as a nonprofit corporation under Title 13-B as necessary or desirable for dealing with issues of local or regional significance to its members, except that it may not exercise any power or authority that would cause the regional water council to become a ~~water utility~~ water-related entity within this State.

Sec. 5. 35-A MRSA §6807, as enacted by PL 2005, c. 209, §1, is amended to read:

§6807. Finances; annual report

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

2. Funds; limitation. A regional water council may accept funds, grants, gifts and services from:

- A. The Federal Government;
- B. The State or its departments, agencies or instrumentalities;
- C. Any governmental unit not specified in paragraph A or B, whether participating in the regional water council or not; and
- D. Private and public sources.

A fund, grant, gift or service of the State or its departments, agencies or instrumentalities otherwise available to ~~water utilities~~ water-related entities may not be made conditional on a ~~water utility's~~ water-related entity's membership in a regional water council.

3. Report. A regional water council shall make an annual report ~~of its~~ including a statement of financial activities to the member ~~utilities~~ water-related entities. The report must be filed with the Public Utilities Commission and the drinking water program of the Department of Health and Human Services.