

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
116TH LEGISLATURE

FIRST REGULAR SESSION

BILL SUMMARIES  
JOINT STANDING COMMITTEE  
ON  
UTILITIES

JULY 1993

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**ONE HUNDRED AND SIXTEENTH LEGISLATURE  
FIRST REGULAR SESSION**

**JOINT STANDING COMMITTEE  
BILL SUMMARIES**

**JULY 1993**

This document is a compilation of the bill summaries prepared by this office for the Joint Standing Committees and Joint Select Committees of the Maine Legislature. The volume is organized alphabetically by committee; within each committee, the summaries are arranged by LD number. A subject index is provided at the beginning of each committee's summaries.

The committee report or reports, the prime sponsor for each bill and the lead co-sponsor in each house if one has been designated are listed below each bill title. All adopted amendments are listed, by paper number (e.g., H-584 or S-222), together with the sponsor for floor amendments. Final action on each bill is listed to the right of the title. Various types of final action are abbreviated as follows:

<i>PUBLIC XXX</i>	<i>Chapter # of enacted Public Law</i>
<i>P&amp;S XXX</i>	<i>Chapter # of enacted Private &amp; Special Law</i>
<i>RESOLVE XXX</i>	<i>Chapter # of enacted Resolve</i>
<i>CON RES XXX</i>	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>EMERGENCY</i>	<i>Enacted law takes effect sooner than 90 days</i>
<i>CARRIED OVER</i>	<i>Bill carried over to Second Session</i>
<i>ONTP</i>	<i>Ought Not to Pass report accepted</i>
<i>ENACTMENT FAILED</i>	<i>Bill failed to get majority vote</i>
<i>INDEF PP</i>	<i>Bill Indefinitely Postponed</i>
<i>FAILED EMERGENCY ENACTMENT</i>	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED MANDATE ENACTMENT</i>	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>DIED BETWEEN BODIES</i>	<i>House &amp; Senate disagree; bill died</i>
<i>CONF CMTE UNABLE TO AGREE</i>	<i>Committee of Conference formed but unable to agree</i>
<i>VETO SUSTAINED</i>	<i>Legislature failed to override Governor's Veto</i>
<i>UNSIGNED</i>	<i>Not signed by Governor within 10 days</i>
<i>DIED ON ADJOURNMENT</i>	<i>Action incomplete when session ended; bill died</i>

These summaries were prepared by the analyst or analysts assigned to the committee. But, this document was produced by the efforts of all the office staff, including secretaries: Charlene Raymond and Valarie Parlin.

If you have any suggestions or comments on these summaries, please let us know.

4693NRG

**SUMMARY**

This bill proposed to repeal the last 2 paragraphs of the Maine Revised Statutes, Title 35-A, section 108, which require the Public Utilities Commission to give notice of only those public proceedings where the commission will deal with the expenditure of public funds or taxation, or will adopt policy.

The committee amendment (S-36) modifies the public notice requirements for Public Utilities Commission meetings. Under this amendment, the commission is required to provide notice of any meeting at which the commission by law or rule is required to make a decision. In addition, the commission is required to provide public notice for several specific types of meetings. The commission is also required to give limited notice of any meeting in which the commission may decide to adopt a position before a federal agency.

**LD 92 An Act to Provide for Water Rights to the Town of New Gloucester**

P & S 32

**SPONSOR(S)**  
CARROLL

**COMMITTEE REPORT**  
OTP-AM

**AMENDMENTS ADOPTED**  
H-339 CARROLL  
H-88

**SUMMARY**

The Yarmouth Water District was authorized in 1923 to take and use water from sources in Yarmouth, North Yarmouth and New Gloucester. This bill proposed to remove the authority of the Yarmouth Water District to take and use water from sources in New Gloucester.

The committee amendment (H-88) adds a mandate preamble to the bill.

The House amendment (H-339) provides that the district may take water from New Gloucester if approved by a joint body composed of representatives of the district and New Gloucester.

**LD 121 An Act Relating to the Protection of Public Water Supplies**

PUBLIC 30

**SPONSOR(S)**  
CARLETON

**COMMITTEE REPORT**  
OTP-AM

**AMENDMENTS ADOPTED**  
H-37

**SUMMARY**

This bill permits a consumer-owned water utility to establish a fund for the acquisition of interests in land in order to protect the quality of public water supplies.

The committee amendment (H-37) makes these 4 substantive changes to the bill:

1. Expands the watershed protection fund into a water supply protection fund. Money in the fund can be used for purposes of watershed protection, groundwater protection or wellhead protection;
2. Allows consumer-owned water utilities to remove money from the water supply protection fund and return it to the unappropriated retained earnings account;
3. Forbids a utility from depositing money in the water supply protection fund unless its contingency reserve fund is at its maximum; and

4. Requires that if the utility has filed a watershed control program with the Department of Human Services then money from the water supply protection fund expended for watershed protection must be in conformity with that program.

**LD 133 An Act Related to Private Facilities in the Public Way**

PUBLIC 18

**SPONSOR(S)**  
VOSE

**COMMITTEE REPORT**  
OTP-AM

**AMENDMENTS ADOPTED**  
S-27

**SUMMARY**

This bill proposed to provide that private construction of electric lines in a public way be limited to construction by landowners whose land abuts the way. Construction of lines across a public way would have been limited to construction by an abutting landowner who owns property on either side of the public way.

The committee amendment (S-27) replaces the bill.

Under this amendment, nonutilities that wish to construct and maintain facilities in public ways maintained by municipalities must, in addition to satisfying all existing requirements, obtain approval from the Public Utilities Commission certifying that the facility will not interfere with utility service to other customers. There is an exception from commission approval for facilities that run only a very short distance, 30 feet, beyond the nonutility's property line.

This amendment also provides that an electric utility may not electrify any line not constructed by an electric utility unless the electric utility obtains certification that the above requirements have been met.

**LD 155 An Act Concerning Fair Electric Rates**

ONTP

**SPONSOR(S)**  
DONNELLY

**COMMITTEE REPORT**  
ONTP

**AMENDMENTS ADOPTED**

**SUMMARY**

This bill proposed to establish a 12-month time frame for rate design decisions by the Public Utilities Commission.

**LD 176 An Act Regarding the Removal of Public Utility Commission Commissioners**

ONTP

**SPONSOR(S)**  
LUTHER

**COMMITTEE REPORT**  
ONTP

**AMENDMENTS ADOPTED**

**SUMMARY**

This bill proposed to provide that a commissioner of the Public Utilities Commission may be removed by an affirmative vote of 2/3 of the elected members of the House of Representatives.