

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&S XXX</i>	<i>Chapter # of enacted Private & 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 & 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

LD 278 An Act to Provide Additional Powers to the Public Utilities Commission

PUBLIC 165

SPONSOR(S)
VOSE

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
S-101

SUMMARY

This bill proposed to expand the powers of the Public Utilities Commission to allow for the seizure of public utility records when reasonable grounds exist to believe that a utility is destroying or altering those documents with the purpose of frustrating a commission investigation into the acts or practices of that utility.

The committee amendment (S-101) replaces the bill.

Under this amendment, a Judge of the District Court or a Justice of the Peace is authorized to issue to the Public Utilities Commission, without notice but upon a showing of probable cause, a search warrant to seize records the commission believes are at risk of being altered or destroyed.

Under this amendment, the commission is authorized to declare and treat as confidential any communication from an informant regarding possible illegal activities by a public utility.

LD 305 An Act to Require the Public Utilities Commission to Include Externalities in Least-cost Planning Procedures

CARRIED OVER

SPONSOR(S)
KONTOS

COMMITTEE REPORT

AMENDMENTS ADOPTED

SUMMARY

This bill proposes to require that the Public Utilities Commissioner consider the long-term environmental effect of a least-cost energy plan.

LD 312 An Act to Establish a Surplus Energy Program

PUBLIC 262
EMERGENCY

SPONSOR(S)
CLEVELAND

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
S-157

SUMMARY

This bill requires the Public Utilities Commission to establish an incentive rate program for electric utilities and limits the commission's authority in implementing the program. The program must be of limited scope and duration and be designed to encourage economic use of surplus electric utility energy capacity.

The committee amendment (S-157) preserves the major provisions of the bill and makes the following additions and modifications:

1. Adds an emergency preamble and emergency clause;
2. Clarifies that an incentive rate tariff may be established by the Public Utilities Commission to address situations where a utility has either surplus energy or surplus capacity;

3. Specifies that any incentive rate established under these provisions must cover costs of service and include a contribution to fixed costs above the costs of service;
4. Specifies that an incentive rate is available for "incremental use" of energy, a term the meaning of which has been developed in the course of recent commission proceedings on incentive rates;
5. Prohibits the use of the rate as a means of encouraging the installation of electric resistance space heating systems;
6. Requires that revenues from sales of electricity under an incentive rate tariff be used to benefit ratepayers; and
7. Requires the commission to report back to the Joint Standing Committee on Utilities on the status of the incentive rate program by January 1, 1996.

LD 341 An Act to Encourage Conservation and Load Management by ONTP
Electric Utilities

SPONSOR(S) HEESCHEN	COMMITTEE REPORT ONTP	AMENDMENTS ADOPTED
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SUMMARY

This bill proposed to require the Public Utilities Commission to allow electric utilities to earn a rate of return for cost-effective energy conservation or load-management investments that would have been from one to 5 percentage points higher than the rate of return otherwise allowed on that utility's rate base. This provision would have applied to all real estate, fixtures and personal property financed by the utility that the commission determined to be a cost-effective conservation or load-management investment, including property installed on the premises of a customer and property owned by someone other than the utility.

LD 353 An Act to Amend the Charter of the North Berwick Water P & S 21
District EMERGENCY

SPONSOR(S) FARNUM	COMMITTEE REPORT OTP-AM	AMENDMENTS ADOPTED H-148
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SUMMARY

This bill amends the charter of the North Berwick Water District by increasing the total amount of allowable indebtedness from \$1,500,000 to \$3,000,000.

The committee amendment (H-148) adds a mandate preamble to the bill and makes certain clarifying changes to the language of the charter.

LD 357 An Act to Exempt Employees of the Public Utilities CARRIED OVER
Commission from Furlough and Shutdown Days

SPONSOR(S) CLEVELAND	COMMITTEE REPORT	AMENDMENTS ADOPTED
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