

MAINE STATE LEGISLATURE

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**STATE OF MAINE
118TH LEGISLATURE**

**FIRST REGULAR SESSION
AND
FIRST SPECIAL SESSION**

**BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
UTILITIES AND ENERGY**

JULY 1997

MEMBERS:

Sen. Richard J. Carey, Chair

Sen. John J. Cleveland

Sen. Philip E. Harriman

Rep. Kyle W. Jones, Chair

Rep. Carol A. Kontos

Rep. Ronald E. Usher

Rep. Gary O'Neal

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Rep. Joseph B. Taylor

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Rep. Donald P. Berry, Sr.

Rep. John W. Vedral

Staff:

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Maine State Legislature

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**ONE HUNDRED EIGHTEENTH LEGISLATURE
FIRST REGULAR AND FIRST SPECIAL SESSIONS**

**Summary Of Legislation Before The Joint Standing Committees
August 1997**

We are pleased to provide this summary of bills that were considered by the 15 Joint Standing Committees of the Maine Legislature staffed by this office. The document is a compilation of bill summaries which describe each bill, committee amendments and other relevant amendments, as well as the final action taken on the bill. Also included are statistical summaries of bill activity this Session for the Legislature and each of its joint standing committees.

The document is organized for convenient reference to information on bills handled by the joint standing committees. It is organized alphabetically by committees and within committees by bill (LD) number. The committee report(s), prime sponsor for each bill and the lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are listed by paper number. Two indices, a subject index and a numerical index by LD number are provided for easy reference to bills. They are located at the back of the document. A separate publication, History and Final Disposition of Legislative Documents, may also be helpful in providing information on the disposition of bills. These bill summaries also are available at the Law and Legislative Reference Library and on the Internet (www.state.me.us/legis/opla).

Final action on each bill is noted to the right of the bill title. The abbreviations used for various categories of final action are as follows:

- CARRIED OVER*.....*Bill carried over to Second Regular Session*
- CON RES XXX*.....*Chapter # of Constitutional Resolution passed by both Houses*
- CONF CMTE UNABLE TO AGREE*.....*Committee of Conference unable to agree; bill died*
- DIED BETWEEN BODIES*.....*House & Senate disagree; bill died*
- DIED IN CONCURRENCE*.....*One body accepts ONTP report; the other indefinitely postpones the bill*
- DIED ON ADJOURNMENT*.....*Action incomplete when session ended; bill died*
- EMERGENCY*.....*Enacted law takes effect sooner than 90 days*
- FAILED EMERGENCY ENACTMENT/FINAL PASSAGE*.....*Emergency bill failed to get 2/3 vote*
- FAILED ENACTMENT/FINAL PASSAGE*.....*Bill failed to get majority vote*
- FAILED MANDATE ENACTMENT*.....*Bill imposing local mandate failed to get 2/3 vote*
- INDEF PP*.....*Bill Indefinitely Postponed*
- ONTP*.....*Ought Not To Pass report accepted*
- OTP ND*.....*Committee report Ought To Pass In New Draft*
- OTP ND/NT*.....*Committee report Ought To Pass In New Draft/New Title*
- P&S XXX*.....*Chapter # of enacted Private & Special Law*
- PUBLIC XXX*.....*Chapter # of enacted Public Law*
- RESOLVE XXX*.....*Chapter # of finally passed Resolve*
- UNSIGNED*.....*Bill held by Governor*
- VETO SUSTAINED*.....*Legislature failed to override Governor's Veto*

Please note the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is June 26, 1997 and September 19, 1997 for the First Special Session.

David E. Boulter, Director

Offices Located in the State House, Rooms 101/107/135

LD 805 proposed to create the Oquossoc Standard Water District.

Committee Amendment "A" (S-112) proposed to add a mandate preamble; to clarify the area outside the territory of the proposed Oquossoc Standard District in which the district is authorized to take water; to clarify that only voters within the district are authorized to vote for district trustees; to make a reference to election procedures for elections of trustees of standard water districts; and to modify the referendum clause to provide that only voters within the proposed district are eligible to vote on the creation of the district.

Enacted law summary

Private and Special Law 1997, chapter 21 creates the Oquossoc Standard Water District. The law is effective on May 13, 1997 for the purposes of allowing it to be put out for local referendum approval.

LD 807

An Act to Amend the Charter of the Winthrop Utilities District

P & S 16

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TREAT MCKEE	OTP-AM	S-85

LD 807 proposed to replace the charter for the Winthrop Water District.

Committee Amendment "A" (S-85) proposed to replace the bill. It proposed to repeal and replace most of the charter of the Winthrop Utilities District in order to update the charter language, to remove obsolete references and to preserve the district's tax-exempt status.

Enacted law summary

Private and Special Law 1997, chapter 16 repeals and replaces most of the charter of the Winthrop Utilities District in order to update the charter language, to remove obsolete references and to preserve the district's tax-exempt status.

LD 810

An Act to Clarify the Duties of the Office of the Public Advocate

PUBLIC 166

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HARRIMAN	OTP-AM	S-109

LD 810 proposed to limit the duties of the office of the Public Advocate to representation of residential and commercial users and consumers whose views are not being represented before the Public Utilities Commission.

Committee Amendment "A" (S-109) proposed to replace the bill. It proposed to require the Public Advocate to give priority to representing low-income, residential, small business and other consumers who are not represented or inadequately represented in matters within the jurisdiction of the Public Utilities Commission.

Enacted law summary

Public Law 1997, chapter 166 requires the Public Advocate to give priority to representing low-income, residential, small business and other consumers who are not represented or inadequately represented in matters within the jurisdiction of the Public Utilities Commission.

LD 812

An Act to Require the Public Utilities Commission to Align Telecommunications Carrier Access Rates with Costs to Foster Economic Development and Competition throughout the State

PUBLIC 259

<u>Sponsor(s)</u> CAREY		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> S-162
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LD 812 proposed to require the Public Utilities Commission, by December 31, 1997, to establish interexchange access rates that are based on the forward looking economic cost of providing the service.

Committee Amendment "A" (S-162) proposed to replace the bill. The amendment proposed (1) to require the Public Utilities Commission, by May 30, 1999, to set intrastate access rates at or below interstate access rates; (2) to require the commission to order interexchange providers to lower intrastate toll rates to reflect net reductions in intrastate access rates if the commission finds that effective competition does not exist in the intrastate long-distance market; (3) to require the commission, by January 1, 1998, to issue a report on access rates to the Joint Standing Committee on Utilities and Energy; and (4) to authorize the Joint Standing Committee on Utilities and Energy to report out legislation on intrastate access rates to the Second Regular Session of the 118th Legislature.

Enacted law summary

Public Law 1997, chapter 259:

1. Requires the Public Utilities Commission, by May 30, 1999, to set intrastate access rates at or below interstate access rates;
2. Requires the commission to order interexchange providers to lower intrastate toll rates to reflect net reductions in intrastate access rates if the commission finds that effective competition does not exist in the intrastate long-distance market;
3. Requires the commission, by January 1, 1998, to issue a report on access rates to the Joint Standing Committee on Utilities and Energy; and
4. Authorizes the Joint Standing Committee on Utilities and Energy to report out legislation on intrastate access rates to the Second Regular Session of the 118th Legislature.