

# 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*

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**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

Public Law 1997, chapter 492 increases the amount of the moral obligation of the State that may be pledged to support electric rate stabilization projects from \$264,000,000 to \$330,000,000; expands the group of eligible borrowers to include qualifying facilities that are municipal solid waste facilities financed by industrial development or exempt facility bonds; and extends from February 1, 1997 to February 1, 1998, the period during which certificates of approval may be issued. The law is effective on June 11, 1997, retroactive to February 1, 1997.

**LD 1785**

**An Act to Provide for a Simplified Restructuring of the Electric Industry**

**ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
USHER PENDLETON P	ONTP	

LD 1785 proposed to permit retail competition in the electric industry beginning January 1, 2000 unless the Public Utilities Commission determined that the New England electric transmission system is not managed by an independent system operator or that a competitive energy market does not exist in the New England region.

The bill also proposed to require electric utilities to divest all their generation assets, other than interests in generation assets located outside the United States, qualifying facilities and interests in the Maine Yankee Atomic Power Company, by auction, on or before the effective date of retail competition. Beginning on the effective date of retail competition, electric utilities would have been limited to and regulated by the Public Utilities Commission as "transmission and distribution utilities" except that the electric utilities would be permitted to continue to market and sell at wholesale electric energy to which they are entitled under contracts with qualifying facilities and nuclear power plants. The Public Utilities Commission would have regulated those sales. The Public Utilities Commission would have been required to ensure that a transmission and distribution utility has a similar opportunity to recover uneconomic costs on or after the effective date of retail competition as it did before that date. Rates for transmission and distribution services would be fully unbundled from rates for other services and regulated by the commission.

It also proposed to create a mechanism for the creation of standard service offers for customers that do not wish to shop for power in the competitive market and impose on transmission and distribution utilities an obligation to connect to their systems, on request, any customer in their services territories.

It also proposed to prohibit entrance and exit fees.

It also proposed to permit the Public Utilities Commission to impose licensing conditions on competitive energy providers and to establish standards of conduct designed to protect consumers. Competitive energy providers would be otherwise exempt from regulation by the Public Utilities Commission. This bill proposed to permit the Public Utilities Commission to enforce antitrust and unfair trade practices laws as those laws may apply to competitive energy providers and transmission and distribution utilities and related entities.

See LD 1804.