

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. Donald P. Berry, Sr.

Rep. John W. Vedral

Staff:

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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 1788 **An Act to Require Notice to Telephone Subscribers of the Sale or Transfer of an Interexchange Carrier or a Change in Rates** **CARRIED OVER**

<u>Sponsor(s)</u> BUNKER		<u>Committee Report</u>		<u>Amendments Adopted</u>
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LD 1788 proposes to require a provider of interexchange telephone services to notify customers 30 days before selling or transferring ownership or changing rates. The bill was carried over to the Second Regular Session of the 118th Legislature.

LD 1794 **An Act to Create a Competitive Market for Electricity While Protecting Consumers and the Environment** **ONTP**

<u>Sponsor(s)</u> KONTOS BENNETT		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1794 proposed to introduce by January 2000 competition in the supply of electricity to retail customers in Maine while preserving specific protections for customers in rural areas and for low-income customers, preserving policy goals of energy efficiency and reliance on renewable resources and protecting Maine's environment. The bill proposed to create a so-called standard offer service for customers who prefer not to pick an electricity supplier or are unable to do so.

The bill proposed to require Maine's electric utilities to sell off all generation assets, except ownership interests in the Maine Yankee Atomic Power Company and independent power contracts.

The bill also proposed a series of changes to the Maine Revised Statutes, Title 35-A.

See LD 1804.

LD 1798 **An Act to Permit Electric Utilities to Restructure in Ways That Improve the Economy of the State** **ONTP**

<u>Sponsor(s)</u> DEXTER RAND		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1798 proposed to restructure the electric industry. The major provisions of the bill are these:

1. Proposed to establish a competitive market for purchases and sales of electricity beginning no later than January 1, 2000;
2. Proposed to establish mechanisms to ensure universal service and to protect low-income customers;

3. Proposed to require the Public Utilities Commission to provide incentives for energy conservation;
4. Proposed to permit electric utilities an opportunity to recover stranded costs; and
5. Proposed to establish an oversight committee to oversee the implementation of restructuring and to develop proposals to conform other provisions of law to the restructuring principles established by this bill.

See LD 1804.

LD 1804

An Act to Restructure the State's Electric Industry

PUBLIC 316

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JONES K	OTP-AM MAJ	H-568
CAREY	ONTP MIN	

LD 1804 proposed to restructure the electric industry in the manner proposed by the Public Utilities Commission in its report to the Legislature of December 31, 1996. The bill proposed to establish retail competition for the purchase and sale of electricity beginning January 1, 2000; to require investor-owned electric utilities by

January 1, 2000 to transfer all generation-related assets and business functions, other than contracts with qualifying facilities, to distinct corporate entities; to require Central Maine Power Company and Bangor Hydro-Electric Company by January 1, 2000 to sell all their rights to capacity and energy under contracts with qualifying facilities; to require Central Maine Power Company and Bangor Hydro-Electric Company by January 1, 2006 to divest all generation-related assets and business functions, except ownership interests in the Maine Yankee Atomic Power Company and contracts with qualifying facilities; to require Central Maine Power Company and Bangor Hydro-Electric Company by January 1, 2006 to sell all rights to energy and capacity under any contracts with the Maine Yankee Atomic Power Company; to permit the Public Utilities Commission to require Maine Public Service Company to divest all generation-related assets and functions, except ownership interests in Maine Yankee Atomic Power Company and contracts with qualifying facilities; to preserve Public Utilities Commission regulation of transmission and distribution services; to permit electric utilities to recover legitimate, verifiable and unmitigable costs that are otherwise unrecoverable as a result of retail competition in the electric industry; to establish a standard-offer service to ensure access for all customers to reasonably priced electric power; to require the Public Utilities Commission to establish rules to protect consumers in the competitive market; to require the Public Utilities Commission to establish registration requirements and minimum business practice standards for competitive generation providers; to permit the Public Utilities Commission to enforce the Maine Unfair Trade Practices Act with respect to electric retail sales activities; to require the Public Utilities Commission to adopt rules that promote renewable resources and energy conservation; and to preserve low-income assistance programs funded through transmission and distribution rates but to direct that alternative funding mechanisms be proposed.

Committee Amendment "A" (H-568), which was the majority report of the committee, completely replaces the bill. The amendment proposed the following:

1. To establish retail competition for the purchase and sale of electricity beginning March 1, 2000;