

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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Rep. Donald P. Berry, Sr.

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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:

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

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

Enacted law summary

Public Law 1997, chapter 316 restructures the electric industry and opens the retail purchase and sale of electricity to competition beginning March 1, 2000. It restructures the industry in the manner described above in the summary of the committee amendment.

LD 1871 **An Act to Authorize the Public Utilities Commission to Establish Reasonable Registration and Reporting Requirements and to Study Market Power Issues Associated with Electric Industry Restructuring** **PUBLIC 447
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CAREY JONES K	OTP-AM	S-327

LD 1871 proposed that any contract made after the effective date of the bill with an unregistered provider is void.

Part A of the bill proposed to require any entity that contracts or attempts to contract with any consumer for the provision of electric generation service in anticipation of electric industry restructuring to be registered with the Public Utilities Commission.

Part B of the bill proposed to require the Public Utilities Commission and the Department of the Attorney General to conduct a study of market power issues related to electric industry restructuring.

Committee Amendment "A" (S-327) proposed technical corrections to the bill to make it clear that the registration requirements apply to prospective providers of retail electric service.

Enacted law summary

Public Law 1997, chapter 447 requires any entity that contracts or attempts to contract with any consumer for the provision of retail electric service in anticipation of electric industry restructuring to be registered with the Public Utilities Commission. A contract made with an unregistered provider is void.

It also requires the Public Utilities Commission and the Department of the Attorney General to conduct a study of market power issues related to electric industry restructuring. The law is effective on June 10, 1997.

LD 1873 **An Act to Increase the Debt Limit of the Vinalhaven Water District** **P & S 42
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PINGREE	OTP-AM	S-316

LD 1873 proposed to increase the debt limit of the Vinalhaven Water District from \$400,000 to \$1,500,000.

Committee Amendment "A" (S-316) proposed to make a technical change and to allow the Vinalhaven Water District to increase its debt limit by referendum vote without further Legislative authorization in the same manner that standard water districts are authorized to increase their debt limits.

Enacted law summary

Private and Special Law 1997, chapter 42 increases the debt limit of the Vinalhaven Water District from \$400,000 to \$1,500,000 and allows the Vinalhaven Water District to further increase its debt limit by referendum vote without further Legislative authorization in the same manner that standard water districts are authorized to increase their debt limits. The law is effective on June 10, 1997 for the purposes of allowing it to be put out for local referendum approval.

LD 1875 An Act to Permit the Public Utilities Commission to Grant an ONTP
Emergency Rate Increase

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JONES K CAREY	ONTP	

LD 1875 proposed to permit the Public Utilities Commission to grant a utility an emergency rate increase subject to refund if the commission later determines that all or a portion of the emergency increase was unwarranted. The bill proposed that this provision would apply to proceedings pending before the commission at the time of enactment.

LD 1899 An Act Regarding the Restructuring of Contracts between Public PUBLIC 558
Utilities and Qualifying Facilities

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CAREY	OTP	

LD 1899 proposed to amend the electric industry restructuring legislation (see LD 1804) by adding an exception to the requirement that each investor-owned electric utility divest all generation assets and generation-related business activities on or before March 1, 2000. The exception is for a contract with a party other than a qualifying facility or affiliated interest entered into solely for the purpose of restructuring a contract with a qualifying facility

Enacted law summary

Public Law 1997, chapter 558 amends the electric restructuring legislation (see LD 1804) to expand the exceptions to the divestiture requirement to include contracts with parties other than qualified facilities that are entered into solely for the purpose of restructuring a contract with a qualifying facility.