

# MAINE STATE LEGISLATURE

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**STATE OF MAINE  
118TH LEGISLATURE**

**SECOND REGULAR SESSION  
AND  
SECOND SPECIAL SESSION**

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

**MAY 1998**

***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*

*Rep. Patrick Colwell*

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*Rep. Joseph B. Taylor*

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*Rep. Donald P. Berry, Sr.*

*Rep. John W. Vedral, III*

***Staff:***

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

**Summary Of Legislation Before The Joint Standing Committees**  
**May 1998**

We are pleased to provide this summary of bills that were considered by the Joint Standing Committees of the Maine Legislature. The document is a compilation of bill summaries which describe each bill and relevant amendments, as well as the final action taken. 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 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](http://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:

- 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 Second Regular Session (unless otherwise specified in a particular law) is June 30, 1998 and July 9, 1998 for the Second Special Session. Second Special Session laws include Public Laws beginning with Chapter 718, Private and Special Laws beginning with Chapter 82 and Resolves beginning with Chapter 117.

**LD 1990**

**An Act to Amend the Charter of the Bingham Water District**

**P & S 63**

<u>Sponsor(s)</u> DEXTER MILLS	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-791
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LD 1990 proposed to extend the territorial limits of the Bingham Water District.

**Committee Amendment "A" (H-791)** proposed to add a mandate preamble and a fiscal note to the bill.

*Enacted law summary*

Private and Special Law 1997, chapter 63 extends the territorial limits of the Bingham Water District.

**LD 2003**

**An Act to Clarify and Enhance Certain Municipal Powers  
Regarding Solid Waste Disposal**

**PUBLIC 602  
EMERGENCY**

<u>Sponsor(s)</u> SAXL J MURRAY	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-822
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LD 2003 proposed to authorize towns, counties, refuse districts and other quasi-municipal districts to form a regional association that could

1. Enter into solid waste disposal agreements with an incinerator facility;
2. Acquire ownership interests in an incinerator facility that serves the members of the association; and
3. Serve as the agent of the members in matters related to the purpose of the association.

**Committee Amendment "A" (H-822)** proposed to provide that:

1. A regional association must be operated as a nonprofit organization;
2. The directors of the association must be elected by the members of the association;
3. Upon dissolution of the association, title to the association's property vests in member municipalities; and
4. An association may have more than one class of members, if so provided in the bylaws.

*Enacted law summary*

Public Law 1997, chapter 602 authorizes towns, counties, refuse districts and other quasi-municipal districts to form a regional association that may

1. Enter into solid waste disposal agreements with an incinerator facility;
2. Acquire ownership interests in an incinerator facility that serves the members of the association; and
3. Serve as the agent of the members in matters related to the purpose of the association.

The law provides fairly detailed requirements for such associations and is designed to permit the consummation of an arrangement negotiated between certain communities, Penobscot Energy Recovery Company and the Bangor Hydro-Electric Company. Chapter 602 was enacted as an emergency measure effective March 17, 1998.

**LD 2018**

**An Act to Protect Customers of Consumer-owned Utilities**

**PUBLIC 638**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PINGREE MURPHY	OTP-AM MAJ ONTP MIN	S-504

LD 2018 proposed to amend the laws governing electric industry restructuring. The bill proposed to provide that the requirement that the Public Utilities Commission choose a standard-offer service provider for all consumers of electricity when retail access begins does not apply to consumer-owned transmission and distribution utilities that purchase capacity and energy through competitive bidding if the cost is no greater than standard-offer service obtained by the commission.

**Committee Amendment "A" (S-504)**, which was the majority report of the Joint Standing Committee on Utilities and Energy, proposed to replace the bill. This amendment proposed to exempt a consumer-owned transmission and distribution utility from the Public Utilities Commission's standard offer competitive bidding process if the consumer-owned transmission and distribution utility purchased a power supply for its territory through a competitive bidding process conducted in accordance with the commission's rules governing the selection and criteria for approval of a standard-offer service provider. This amendment also proposed to provide that such purchases by a consumer-owned transmission and distribution utility may be from a single source and would not be subject to commission approval.

***Enacted law summary***

Public Law 1997, chapter 638 amends the laws governing electric industry restructuring. The law amends provisions relating to standard-offer service. The law exempts a consumer-owned transmission and distribution utility from the Public Utilities Commission's standard offer competitive bidding process if the consumer-owned transmission and distribution utility purchases a power supply for its territory through a competitive bidding process conducted in accordance with the commission's rules governing the selection and criteria for approval of a standard-offer service provider. The law also provides that such purchases by a consumer-owned transmission and distribution utility may be from a single source and are not subject to commission approval.