

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

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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).

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.

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HARRIMAN JONES SL	OTP-AM	S-507

LD 2025 proposed to exclude the Department of Transportation, the Maine Turnpike Authority and minor civil divisions from civil penalties for certain violations of the State's "dig safe" laws.

Committee Amendment "A" (S-507) proposed to replace the bill. The amendment proposed to provide for the issuance of annual written clearances by the "dig safe system," which would allow excavators to undertake excavations in clearly identified areas in which no underground facilities are located. Such clearances could be revoked or modified if new underground facilities were proposed for the area for which clearance had been issued.

Enacted law summary

Public Law 1997, chapter 631 provides for the issuance of annual written clearances by the "dig safe system," which will allow excavators to undertake excavations in clearly identified areas in which no underground facilities are located. Such clearances may be revoked or modified if new underground facilities are proposed for the area for which clearance has been issued.

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PARADIS SIROIS	OTP-AM	S-470

LD 2029 proposed to allow the Van Buren Light and Power District to provide fiber-optic cable service.

Committee Amendment "A" (S-470) proposed the following:

1. To clarify that the Van Buren Light and Power District's authorization to provide fiber-optic cable telecommunications services is limited to its current territorial limits;
2. To provide that the district may not take the property of another public utility used in providing service to the public or in performing a public duty unless the Public Utilities Commission finds that the taking is in the public interest.

Enacted law summary

Private and Special Law 1997, chapter 68 allows the Van Buren Light and Power District to provide fiber-optic cable service in its service territory. The law also provides that the district may not take the property of another