

# 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:*

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*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](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.

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.

**LD 2043**

**An Act to Preserve Certain Electric Utility Billing Arrangements until Competition is Implemented**

**ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LAVERDIERE	ONTP	

LD 2043 proposed to rewrite a provision of the law enacted during the First Regular Session of the 118th Legislature known as the "electric industry restructuring" law. The provision had the apparent effect of abrogating a net billing requirement applicable to electric utility arrangements with very small qualifying facilities. The requirement appears in Public Utilities Commission rules that implement the Maine Revised Statutes, Title 35-A, chapter 33. This bill proposed to reinstate the right of small qualifying facilities to sell power to electric utilities under net billing arrangements until the advent of retail competition, which will occur on March 1, 2000. The Public Utilities Commission addressed the issue raised by this bill in Chapter 360 of its rules, adopted March 10, 1998.

**LD 2076**

**An Act to Require Certain Utilities to Report Transfers of Assets**

**DIED BETWEEN BODIES**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
O'NEAL	OTP-AM MAJ	
CAREY	ONTP MIN	

LD 2076 proposed to require all public utilities to report transfers of any property funded in any manner from rate-payer funds. The bill proposed to require the commission to assess the value of these assets and to take this value into account in any determinations of stranded cost recovery.

The bill also proposed to require the commission to determine the amount and circumstances of all similar transfers that have occurred since the beginning of 1990 and to take these into account in determining stranded costs.

**Committee Amendment "A" (H-906)**, which was the majority report of the Joint Standing Committee on Utilities and Energy, proposed to replace the bill and

1. To require investor-owned electric utilities to provide to the Public Utilities Commission written notice of transfers occurring after January 1, 1992 of significant interests in property financed or managed in any manner with rate-payer funds; and
2. To require the first notice of transfers occurring between January 1, 1992 and January 1, 1998 to occur within 30 days of the effective date of the Act.