

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

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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.

1. Provisions relating to limitations on investments by utilities in affiliates are modified to allow investments by a utility in a regulated affiliate if the utility has not obtained an investment grade bond rating or has filed for a temporary rate increase within 6 months of the utility's filing for approval of the investment, if the utility obtains approval pursuant to the Maine Revised Statutes, Title 35-A, sections 707 and 708; and
2. Provisions are inserted to allow utilities whose bonds are neither publicly rated nor rated by a private letter bond rating to make investments in affiliates if approved by the Public Utilities Commission pursuant to the Maine Revised Statutes, Title 35-A, section 707 and 708.

LD 2267

An Act to Amend the Charter of Great Northern Paper, Inc.

P & S 71

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

LD 2267 proposed to grant to Great Northern Paper, Inc. the authority to continue furnishing electricity to the existing Millinocket mill facilities after the sale of the Millinocket mill facilities to a 3rd party. Provision of this electrical service would not be regulated.

Enacted law summary

Private and Special Law 1997, chapter 71 grants to Great Northern Paper, Inc. the authority to continue furnishing electricity to existing Millinocket mill facilities after the sale of the Millinocket mill facilities to a 3rd party. Provision of this electrical service is exempt from regulation by the Public Utilities Commission.

LD 2277

An Act to Implement the Recommendations of the Majority of the Joint Standing Committee on Utilities and Energy Arising from Its Government Evaluation Act Review of the Office of the Public Advocate

**PUBLIC 719
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP MAJ	H-963 JONES K S-613 CLEVELAND

LD 2277, which was the majority report of the Joint Standing Committee on Utilities and Energy pursuant to its Government Evaluation Act review of the Office of the Public Advocate, proposed supplemental funding for the Office of the Public Advocate to fund salary increases for the Public Advocate and the Public Advocate's staff and to cover costs of consultants and expert witnesses to handle cases at the Public Utilities Commission involving electric industry restructuring and telephone utility regulation and at the Public Utilities Commission and the Federal Energy Regulatory Commission involving issues related to Maine Yankee Nuclear Power Plant decommissioning.

See LD 2278 for a discussion of the minority report.

House Amendment "A" (H-963) proposed to add a fiscal note to the bill.

Senate Amendment "B" (S-613) proposed to authorize unspent funds in the Public Advocate Regulatory Fund for fiscal year 1996-97 to be carried forward in their entirety for use in fiscal year 1997-98. This provision was in the Supplemental Budget but was moved into this bill when it was determined that the Supplemental Budget would not be passed as an emergency.

This amendment also proposed to reduce by \$50,000 the amount of the allocation to the Office of the Public Advocate proposed in the bill for fiscal year 1998-99.

Enacted law summary

Public Law 1997, chapter 719 authorizes unspent funds in the Public Advocate Regulatory Fund for fiscal year 1996-97 to be carried forward in their entirety for use in fiscal year 1997-98 and provides supplemental funding to the Office of the Public Advocate. Chapter 719 was enacted as an emergency measure effective April 7, 1998.

LD 2278 **An Act to Implement the Recommendations of the Minority of the Joint Standing Committee on Utilities and Energy Arising from its Government Evaluation Act Review of the Office of the Public Advocate** **DIED IN CONCURRENCE**

<u>Sponsor(s)</u>	<u>Committee Report</u> OTP MIN	<u>Amendments Adopted</u>
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LD 2278, which was the minority report of the Joint Standing Committee on Utilities and Energy pursuant to its Government Evaluation Act review of the Office of the Public Advocate, proposed supplemental funding to the Office of the Public Advocate to fund salary increases for the Public Advocate and the Public Advocate's staff and to cover costs of consultants and expert witnesses to handle cases at the Public Utilities Commission involving electric industry restructuring and at the Public Utilities Commission and the Federal Energy Regulatory Commission involving issues related to Maine Yankee Nuclear Power Plant decommissioning. The funding level proposed was \$50,000 less than that proposed in the majority report (see LD 2277). This reduced amount was ultimately adopted by floor amendment to the majority report.

LD 2285 **An Act Relating to Electric Industry Restructuring** **PUBLIC 691 EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u> S-617 HARRIMAN
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LD 2285, which was reported by the Joint Standing Committee on Utilities and Energy pursuant to its authority under Public Law 1997, chapter 316, section 12, proposed the following.