

MAINE STATE LEGISLATURE

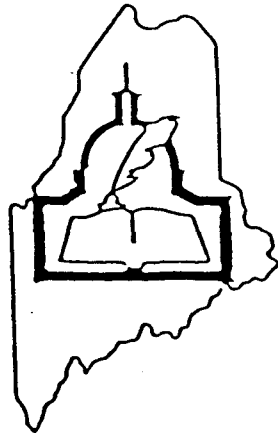
The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

STATE OF MAINE
ONE HUNDRED AND TWELFTH LEGISLATURE
SECOND REGULAR SESSION

JOINT STANDING COMMITTEE ON
UTILITIES
BILL SUMMARY



MAY 1986

PREPARED BY:

Haven Whiteside, Policy Analyst

OFFICE OF POLICY AND LEGAL ANALYSIS
STATE HOUSE, STATION 13 AUGUSTA, MAINE 04333
(207) 289-1670



HELEN T. GINDER, DIRECTOR
HAVEN WHITESIDE, ASST. DIRECTOR
GILBERT W. BREWER
DAVID C. ELLIOTT
MARTHA E. FREEMAN
JERI B. GAUTSCHI
CHRISTOS GIANOPOULOS
WILLIAM T. GLIDDEN, JR.

STATE OF MAINE
OFFICE OF POLICY AND LEGAL ANALYSIS
ROOM 101/107
STATE HOUSE STATION 13
AUGUSTA, MAINE 04333
TEL.: (207) 289-1670

JULIE S. JONES
JOHN B. KNOX
EDWARD POTTER
MARGARET J. REINSCH
LARS H. RYDELL
JOHN R. SELSER
ANDREA L. COLNES, Res. Asst.

ONE HUNDRED AND TWELFTH LEGISLATURE
SECOND REGULAR SESSION

JOINT STANDING COMMITTEE
BILL SUMMARIES
MAY 1986

This document is a compilation of the bill summaries prepared by this office for the Joint Standing Committees and Joint Select Committees of the Maine Legislature, covering the Second Regular Session of the 112th Legislature. The summaries are arranged by LD number under each committee.

All Amendments are listed, by paper number (e.g., H-584 or S-222), together with the sponsor if it is a floor amendment or the designation "CA" if it is a committee amendment. If the amendment was adopted in the House, the letter H appears after the sponsor. If it was adopted in the Senate, the letter S appears.

Final action for each bill is listed to the right of the title. If final House action and Senate action differ, both are listed.

Key to Committee Reports and Floor Action:

OTP	Ought to Pass
OTP-ND	Ought to Pass in New Draft
OTP-ND-NT	Ought to Pass in New Draft, New Title
OTP-AM	Ought to Pass as Amended
ONTP	Ought Not to Pass
LVWD	Leave to Withdraw
INDEF PP	Indefinitely Postponed

An informal vote of telephone users will be taken in November 1987, in the areas where local measured service is available. The results of that vote will be made available by January 6, 1988, to the 113th Legislature in order to inform the members in their decision whether or not to authorize continuation of the program.

The bill requires that a flat-rate option be available for residential and business telephone customers, so measured service cannot be mandatory. This amendment restates that point directly, mandatory local measured service is prohibited.

The Committee Amendment (H-496) adds emphasis. The bill requires that a flat-rate option be available for residential and business telephone customers, so measured service cannot be mandatory. This amendment restates that point directly, mandatory local measured service is prohibited.

The Senate amendment (S-476) drops most of the original bill and simply retains provisions to provide assurance that in designing the rate structure for local telephone service, the commission will take into consideration people's ability to pay, establish appropriate contributions from all kinds of services for the cost of common facilities, and with respect to measured service that the benefits of such measurement exceed the costs.

LD AN ACT TO CLARIFY THE PROCEDURE FOR APPEALS OF PL 1985
1959 DECISIONS OF THE PUC c. 663

Sponsor: ANDREWS, Richard, Clark, H., Vose
Committee Report: OTP-AM

S-435 CA H S

SUMMARY: Under present law (35 MRSA §303 & §304) utilities may appeal final decisions of the PUC to the Law Court on questions of law. Any person who participated in opposition has standing to file the appeal. The court may not stay the decision pending action on the appeal. Under (35 MRSA §305) complaints may be filed with the Law Court relative to the unconstitutionality or unlawfulness of any PUC ruling or order even if it is not final.

The bill consolidates these two situations into a single section, in order to clarify other methods of appeal.

The bill also adds a new requirement that before filing an appeal the party must first ask the PUC for reconsideration.

The committee amendment (S-435) makes it clear that any person who has participated in a Public Utilities Commission proceeding and is adversely affected has standing for taking an appeal. The amendment also deletes from the bill a requirement that a party request reconsideration by the commission before that party may appeal to the courts.

LD AN ACT TO PROTECT THE CONFIDENTIALITY OF
1969 CERTAIN UTILITY EMPLOYEE RECORDS

PL 1985
c. 616

Sponsor: PRAY, Vose, Paradis, E., Hayden
Committee Report: OTP

H-593 VOSE

SUMMARY: The bill makes personnel records of public utilities confidential. Those records would be available for in camera inspection by the PUC for good cause shown. If the PUC finds that production of the personnel record is not unjust or unlawful and that its materiality to a proceeding outweighs any harm to the employee the PUC may make the personnel record part of the proceeding, subject to suitable conditions. The records designated confidential are similar to those so designated for public employees in 5 MRSA §554.

House Amendment (H-593) corrects an error in grammar in the original bill.

LD AN ACT TO AMEND THE CHARTER OF THE SEWER
2001 DISTRICT OF THE TOWN OF KENNEBUNK

P&SL 1985
c. 97

Sponsor: MURPHY, T., Dutremble
Committee Report: OTP

SUMMARY: This bill changes the time at which elections for water district trustees are held from the annual district meeting in July to a time to coincide with municipal elections, changes the provisions concerning procedure for notice of meetings and makes other technical changes in the charter.