

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
115TH LEGISLATURE

SECOND REGULAR SESSION

BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
UTILITIES

MAY 1992

Staff:

Jon P. Clark, Legislative Analyst

*Office of Policy and Legal Analysis
Room 101, State House Station 13
Augusta, ME 04333
(207)287-1670*

MEMBERS:

**Sen. John J. Cleveland
Sen. Harry L. Vose
Sen. David L. Carpenter*

**Rep. Herbert E. Clark
Rep. Maria Glen Holt
Rep. Herbert C. Adams
Rep. Ida Luther
Rep. Carol A. Kontos
Rep. Rosalie H. Aikman
Rep. Kathryn D. Merrill
Rep. James O. Donnelly
Rep. Hugh A. Morrison
Rep. Sumner Lipman*

**Denotes Chair*

IARTHA E. FREEMAN, DIRECTOR
WILLIAM T. GLIDDEN, JR., PRINCIPAL ANALYST
ULIE S. JONES, PRINCIPAL ANALYST
DAVID C. ELLIOTT, PRINCIPAL ANALYST
DON CLARK
YAN M. DYTTER
BRO FLATEBO
EBORAH C. FRIEDMAN
MICHAEL D. HIGGINS
KANE ORBETON



KAREN L. HRUBY
JILL IPPOLITI
JOHN B. KNOX
PATRICK NORTON
MARGARET J. REINSCH
PAUL J. SAUCIER
HAVEN WHITESIDE
MILA M. DWELLEY, RES. ASST.
ROY W. LENARDSON, RES. ASST.
BRET A. PRESTON, RES. ASST.

STATE OF MAINE
OFFICE OF POLICY AND LEGAL ANALYSIS
ROOM 101/107/135
STATE HOUSE STATION 13
AUGUSTA, MAINE 04333
TEL.: (207) 289-1670

**ONE HUNDRED AND FIFTEENTH LEGISLATURE
SECOND REGULAR SESSION**

**JOINT STANDING COMMITTEE
BILL SUMMARIES**

MAY 1992

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. The volume is organized alphabetically by committee; within each committee, the summaries are arranged by LD number. A subject index is provided at the beginning of each committee's summaries.

All adopted amendments are listed, by paper number (e.g., H-584 or S-222), together with the sponsor for floor amendments. Final action on each bill is listed to the far right of the title. Various types of final action are abbreviated as follows:

PUBLIC XXX	Chapter # of enacted Public Law
P&S XXX	Chapter # of enacted Private & Special Law
RESOLVE XXX	Chapter # of enacted Resolve
CON RES XXX	Chapter # of Constitutional Resolution passed by both Houses
EMERGENCY	Enacted law takes effect sooner than 90 days
CARRIED OVER	Bill carried over to Special Session
ONTP	Ought Not to Pass report accepted
LVWD	Leave to Withdraw report accepted
INDEF PP	Bill Indefinitely Postponed
FAILED EMERGENCY ENACTMENT	Emergency bill failed to get 2/3 vote
DIED BETWEEN BODIES	House and Senate disagree; bill died
CONF CMTE UNABLE TO AGREE	Committee of Conference formed but unable to agree
VETO SUSTAINED	Legislature filed to override Governor's Veto
UNSIGNED	Not signed by Governor within 10 days
DIED ON ADJOURNMENT	Action incomplete when session ended; bill died

These summaries were prepared by the analyst or analysts assigned to the committee. But, this document was produced by the efforts of all the office staff, including secretaries: Charlene Raymond and Valarie Parlin, especially Laurette Knox who coordinated preparation of the overall document.

If you have any suggestions or comments on these summaries, please let us know.

LD 2253 An Act to Provide for the Annual Apportionment of the Kennebec Sanitary Treatment District's Operation Costs on a 3-year Average

P & S 83

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
KANY GWADOSKY	OTP	

SUMMARY

This bill amends the charter of Kennebec Sanitary Treatment District to authorize the trustees of the district to apportion the annual operating costs on a 3-year average rather than on a single year's usage.

LD 2288 An Act to Require a Total Least-cost Energy Plan and to Establish a Moratorium on Fossil-fuel Fired Electric Generation Facilities in This State

DIED BETWEEN HOUSES

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
GRAY CROWLEY FOSTER MCCORMICK	ONTP OTP-AM	MAJ MIN

SUMMARY

This bill proposed to establish a total least-cost energy plan that gives preference to electric generation facilities that are less harmful to the environment and human health. The bill also proposed to impose a moratorium on the permitting, construction or operation of fossil fuel fired electric generation plants until February 1, 1993 and provided for a report by the Public Utilities Commission by January 1, 1993 on whether an extension of the moratorium or enactment of other measures to fully implement a total least-cost energy policy were necessary.

The minority report of the committee (H-1083) struck the bill and replaced it with language which proposed to place a moratorium on state permitting and the construction and operation of any new coal-fired electric generation plant. The amendment made explicit exemptions for upgrades and retrofits of existing plants. Under this moratorium, state agencies would have been able to process and hold hearings on permits.

LD 2306 An Act to Ensure the Availability of Ferry Service in Casco Bay

PUBLIC 774
EMERGENCY

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
RAND RICH ADAMS BUTLAND	OTP-AM	H-1082

SUMMARY

This bill proposed to make changes to the laws concerning the regulation of ferries in Casco Bay. The bill proposed new criteria for the issuance of a certificate of public convenience and necessity required for the transport of passengers or property in Casco Bay.

The committee amendment (H-1082) alters the emergency preamble of the bill. In addition, the amendment strikes and replaces the substance of the bill. The amendment is designed to provide significant regulatory protection of the revenues generated by the Casco Bay Island Transit District in order to ensure its continued existence. The amendment

1. Allows reasonable cross-subsidization in the rates of the Casco Bay Island Transit District (CBITD);
2. Prevents the Public Utilities Commission from allowing any scheduled passenger, freight or vehicle transportation service offered by CBITD, other than tour and charter service, to be provided by any other entity if the principal difference between CBITD and the competitor is that the competitor will offer the service at a reduced rate, unless there will be no significant adverse impact on CBITD. It prevents the commission from permitting any competition of this type if the commission determines that the competition will have a significant adverse impact on CBITD's rates, its ability to sell or repay bonds, its long-term financial viability or its ability to retain a reasonable level of cross-subsidization in its rates;
3. Prevents the commission from permitting any entity from providing seasonal scheduled passenger, freight or vehicle transportation service that is provided by CBITD except to cure inadequacies in CBITD's service. The fact that a competitor can offer seasonal service at a lower rate does not establish an inadequacy in CBITD's service;
4. Provides a temporary mechanism whereby certain types of unscheduled freight services are permitted by the commission. The standards for issuing permits under this mechanism are specific to certain routes in Casco Bay. The standards include minimum cargo weights, limitations on cargo types and prohibitions on the use of CBITD's wharves and docks. This mechanism is repealed on July 15, 1994. The commission, together with interested parties, is required to submit a report on the continuance of this mechanism to the Joint Standing Committee on Utilities by January 1, 1994;
5. Allows the commission to adopt rules governing unscheduled tours, charters and water taxi services;
6. Provides specific exemptions from the restrictions and requirements imposed on regularly scheduled freight and passenger services and unscheduled freight services for operations serving Chebeague Island and none of the other islands served by CBITD. It also exempts Chebeague Transportation Company from the requirement of seeking a certificate of public convenience and necessity to provide ferry service between Chebeague Island and the mainland of Cumberland County north of Tukeys Bridge;
7. Expands the exclusion from commission jurisdiction for emergency transportation to include transportation relating to emergency planning activities; and
8. Provides that unused certificates of public convenience and necessity for the provision of ferry service lapse 2 years after issuance, or on the effective date of the act, whichever is later. There is an exemption from this provision for certificates relating to ferry transportation of mail; these certificates lapse after 5 years of nonuse.