

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
116TH LEGISLATURE

FIRST REGULAR SESSION

BILL SUMMARIES  
JOINT STANDING COMMITTEE  
ON  
UTILITIES

JULY 1993

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**ONE HUNDRED AND SIXTEENTH LEGISLATURE  
FIRST REGULAR SESSION**

**JOINT STANDING COMMITTEE  
BILL SUMMARIES**

**JULY 1993**

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.

The committee report or reports, the prime sponsor for each bill and the lead co-sponsor in each house if one has been designated are listed below each bill title. 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 right of the title. Various types of final action are abbreviated as follows:

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

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.

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

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The committee amendment (H-225) adds a mandate preamble to the bill.

The Senate amendment (S-164) replaces the bill and increases the board of trustees of the Waldoboro Utility District.

**LD 1037**      **An Act to Cause the Renegotiation of Utility Contracts  
for Electric Power Generated at Private Facilities**

CARRIED OVER

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
CARPENTER		

**SUMMARY**

Under current law, the Public Utilities Commission plays no role in the negotiation of contracts between utilities and independent power producers unless it is petitioned to resolve a dispute. Currently there are no regulatory incentives for independent power producers to reduce contract prices. This bill proposes to alter existing law by creating incentives for electric utilities to renegotiate current contracts with private power producers and to reduce the short-term price effects on utility customers. In exchange for reducing current contract prices, private power producers would be exempted from a new requirement that extensions of current contracts and new contracts receive formal approval from the Public Utilities Commission.

**LD 1041**      **An Act to Expedite Maintenance of Utility Facilities**

PUBLIC 399

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
VOSE	OTP-AM      MAJ	H-645      ADAMS
	ONTP      MIN	S-250

**SUMMARY**

This bill proposed to permit utilities to trim or remove trees in public ways if notice were provided to certain authorities. This bill would have limited utility liability for cutting or trimming trees.

The committee amendment (S-250), which is the majority report of the Joint Standing Committee on Utilities, replaces the bill. This amendment allows electric and telephone utilities to trim, cut or remove trees or portions of trees that are in the public way provided that notice has been given to the governmental entity with jurisdiction over the public way, to the public, through newspaper notice, and to persons who have requested personal consultation with the utility prior to the cutting, trimming or removing of trees. It also requires a utility to consult with landowners before the utility cuts any shade or ornamental tree. These provisions do not apply to emergency situations.

The House amendment (H-645) provides that utilities must consult with the appropriate municipal licensing authority or, if none, the municipal officers before commencing tree trimming operations. The municipal licensing authority or municipal officers may hold a public hearing on the proposal and, in that case, the utility may not commence operations until after the public hearing has been held.