

MAINE STATE LEGISLATURE

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STATE OF MAINE
116TH LEGISLATURE

SECOND REGULAR SESSION

BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
UTILITIES

MAY 1994

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

**JOINT STANDING COMMITTEE
BILL SUMMARIES**

MAY 1994

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, 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:

PUBLIC XXX

P&S XXX

RESOLVE XXX

CON RES XXX

EMERGENCY

ONTP

INDEF PP

FAILED ENACTMENT

FAILED EMERGENCY ENACTMENT

FAILED MANDATE ENACTMENT

DIED BETWEEN BODIES

CONF CMTE UNABLE TO AGREE

VETO SUSTAINED

UNSIGNED

DIED ON ADJOURNMENT

Chapter # of enacted Public Law

Chapter # of enacted Private & Special Law

Chapter # of enacted Resolve

Chapter # of Constitutional Resolution passed by both Houses

Enacted law takes effect sooner than 90 days

Ought Not to Pass report accepted

Bill Indefinitely Postponed

Bill failed to get majority vote

Emergency bill failed to get 2/3 vote

Bill imposing local mandate failed to get 2/3 vote

House & Senate disagree; bill died

Committee of Conference unable to agree; bill died

Legislature failed to override Governor's Veto

Not signed by Governor within 10 days

Action incomplete when session ended; bill died

These summaries were prepared by the analyst or analysts assigned to the committee. If you have any suggestions or comments on the summaries, please let us know.

5581LHS

The bill also requires the utility to notify customers of the new petition requirement and, upon request, to provide the customer with petition forms.

COMMITTEE AMENDMENT "A" (S-465) adds a fiscal note and a mandate preamble to the bill. The amendment also redrafts several sections of the bill for purposes of clarity and

1. Corrects certain errors in laws affecting the Public Utilities Commission;
2. Corrects the reference to the titles of several positions at the commission that were changed in the last session of the Legislature;
3. Extends the sunset on the law relating to the transport of unscheduled freight in Casco Bay from July 15, 1994 to July 15, 1996; and
4. Adds new language specifically allowing customers who are not hearing-impaired who call hearing-impaired persons directly to receive, on request, a 70% discount on the call charges.

**LD 1621 An Act to Protect Utility Consumers from Bearing
Responsibility for Utility Mismanagement**

PUBLIC 506

SPONSOR(S)
ESTY

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
S-392

SUMMARY

Current law permits the Public Utilities Commission, in determining just and reasonable rates, to consider whether a utility is operating efficiently and using sound management practices. This bill requires the Public Utilities Commission to consider those issues in determining rates.

COMMITTEE AMENDMENT "A" (S-392) makes clear that the Public Utilities Commission has full discretion in determining the level of its scrutiny of utility management practices in its determination of just and reasonable rates.

LD 1639 An Act to Amend the Boothbay Harbor Sewer District Charter

P & S 59
EMERGENCY

SPONSOR(S)
HEINO
BEGLEY

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
H-732

SUMMARY

This bill enlarges the territorial limits of the Boothbay Harbor Sewer District by authorizing the district to acquire, construct, maintain and operate a sewer system to serve a portion of the Adams Pond watershed in the Town of Boothbay.

This bill proposed to revise the charter by extending to the district the same collection enforcement powers that are available to municipalities for purposes of property tax collection.

COMMITTEE AMENDMENT "A" (H-732) makes the following changes to the bill:

1. Amends the title to better reflect the amended content of the bill;
2. Adds a municipal mandate preamble to the bill and strikes section 4 of the bill dealing with local cost impacts;

3. Strikes section 2 of the bill that proposed to change the district's charter provision regarding liens for nonpayment of rates. Under this amendment, the existing charter provision remains in effect;
4. Amends the referendum clause to reflect amendments made to the rest of the bill and provides that the Town of Boothbay Harbor, not the district, holds the referendum in accordance with state law regarding municipal elections. A special provision is inserted regarding the preparation of absentee ballots in order to reduce delay in putting the Act to a vote; and
5. Adds a fiscal note to the bill.

LD 1664 An Act to Increase the Debt Limit for the Richmond Utilities District

P & S 66
EMERGENCY

SPONSOR(S)
STEVENS A

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
H-753

SUMMARY

This bill raises the current debt limit of the Richmond Utilities District from \$1,500,000 to \$3,000,000.

COMMITTEE AMENDMENT "A" (H-753) adds a municipal mandate preamble and changes the emergency clause to an emergency referendum. This amendment also makes technical corrections and adds a fiscal note to the bill.

LD 1666 An Act to Permit Electric Utilities Greater Flexibility in Adjusting Electric Utility Prices to Meet Changing Market Conditions

PUBLIC 614

SPONSOR(S)
TAYLOR

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
H-862

SUMMARY

At present, rates filed with the Public Utilities Commission are subject to suspension by the commission pending the commission's investigation of the rate. This bill proposed to preclude the suspension of a rate filed by an electric utility when the rate constituted a reduction from a rate otherwise available to a utility customer for similar services. The commission would have been permitted to require the utility to modify or discontinue the rate if the commission found, after investigation, that the rate did not result in rates lower for all customer classes than otherwise available.

The bill proposed to permit the use of this same procedure for any contract of a definite term entered into between an electric utility and a customer if the contract varied the rates for electric service otherwise available for service of a similar character. Under current law, the commission must approve this type of contract before it becomes effective.

COMMITTEE AMENDMENT "A" (H-862) replaces the bill. Under this amendment, the Public Utilities Commission is authorized to permit an electric utility to implement a program that allows the utility to change its rate schedules with limited notice to the commission and allows the utility to enter into contracts for the sale of electricity, transmission and distribution services and related management services with limited or no prior express approval by the commission. The commission is required to approve these programs in adjudicatory proceedings that may not take longer than 9 months. All programs must be consistent with Maine's energy policy as articulated in 35-A MRSA §3191. As part of a program, the commission may waive the so-called fuel clause provisions of state law. This amendment also adds a fiscal note to the bill.