

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

This amendment also adds a municipal mandate preamble, an emergency preamble, an emergency referendum clause and a fiscal note to the bill.

LD 1720 An Act to Encourage Innovation and Competitiveness by Electric Utilities

PUBLIC 535

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
CARPENTER	OTP-AM	S-415

SUMMARY

This bill proposed to make confidential information which an electric utility determined to be competitively sensitive.

COMMITTEE AMENDMENT "A" (S-415) strikes and replaces the bill. The amendment clarifies an ambiguity which may have existed in current law with regard to whether records placed under protective orders are public records within the meaning of the freedom of access laws. The amendment clarifies that information placed under protective order by the Public Utilities Commission falls within the existing exception to the definition of public records under the freedom of access law. The amendment also adds a fiscal note to the bill.

LD 1747 An Act to Protect the Interests of the Town of Otis in Certain Ponds

ONTP

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

SUMMARY

This bill proposed to amend the charter of the Bangor Water District to prohibit the district from taking by eminent domain any land in the Town of Otis.

COMMITTEE AMENDMENT "A" (S-493), which was the minority report of the committee, proposed to require certain investigations of the district, to repeal the authority of the district to take water from sources in Otis and to require that certain contracts entered into by the district be approved by the Bangor City Council.

LD 1760 An Act to Amend the Utility Location Permit Laws

ONTP

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
SAXL	ONTP	

SUMMARY

This bill proposed to make the following changes to law.

1. Permit licensing authorities to assess annual fees for use of the public way. The fee would have been capped and would have applied only to facilities installed or relocated after September 1, 1994. There would have been exemptions from the fee for governmental and consumer-owned entities. An exemption would also have been provided for public utilities that pay local property taxes on permitted facilities to a municipality or to a county.

2. Permit licensing authorities to require as a condition of a permit that the applicant agree to indemnify the licensing authority for claims arising out of the applicant's negligent use of the public way.
3. Create immunity for licensing authorities from all liability for damage to any facilities in the public way, regardless of when installed, caused by negligent act or omission of the licensing authority or its employees or agents.
4. Clarify and modify the authority of municipalities to reconsider permit decisions; extend the deadline for county commissioners to complete a decision on an appeal of a municipal decision; specify a right of appeal from a decision of the county commissioners; require persons issued a permit to build facilities in the public way to provide to the licensing authority plans of the facilities as built within 30 days of construction; allow more time for a licensing authority to approve or deny a permit application; and require the Public Utilities Commission to resolve disputes in which a licensing authority and a public utility applying for a permit cannot agree on terms of a permit.

LD 1765 An Act to Protect Ratepayer Investments

ONTP

SPONSOR(S)
GWADOSKY

COMMITTEE REPORT
ONTP

AMENDMENTS ADOPTED

SUMMARY

This bill would have given an electric utility the authority to terminate its power purchase contracts with a self-generator if the self-generator ceased purchasing electricity from the electric utility. The bill also proposed to require any customer who has received any demand-side management subsidies from an electric utility to repay those subsidies if the customer purchased less of its electrical requirements from the utility than the customer had purchased during the prior year.

LD 1797 An Act to Amend the Charter of the Madison Water District

P & S 69

SPONSOR(S)
KETTERER

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
H-760

SUMMARY

This bill makes certain changes in the charter of the Madison Water District concerning the terms, elections and compensation of the board of trustees, requirements of any person serving as treasurer, the submission of an annual report and the keeping of certain records. In the main, these changes are consistent with 35-A MRSA ch. 63 which governs the creation of new districts.

COMMITTEE AMENDMENT "A" (H-760) adds a municipal mandate preamble, makes a technical correction and adds a fiscal note to the bill.

LD 1799 An Act to Expand the Powers of the Great Salt Bay Sanitary District

P & S 85
EMERGENCY

SPONSOR(S)
KILKELLY
BEGLEY

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
H-825
H-919 CLARK

SUMMARY

This bill proposed to create the Great Salt Bay Utility District.