

# 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 proposed to provide that any future changes to the district's debt limit be approved in a district referendum. Committee Amendment "A" (S-431) removes this language. The amendment also makes technical changes to conform existing law to current drafting standards.

**LD 1839 An Act to Amend the Charter of the Berwick Sewer District**

P & S 81  
EMERGENCY

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
MURPHY CARPENTER	OTP-AM	H-823 H-828 MURPHY

**SUMMARY**

Federal regulations require publicly owned treatment works, such as sewer districts, to adopt pretreatment programs for industrial users of the sewage treatment facilities. Those regulations include a requirement that the publicly owned treatment works have the authority to assess civil or criminal penalties in the amount of at least \$1,000 per day per violation upon industrial users who violate pretreatment standards or requirements. Those regulations also include a requirement that publicly owned treatment works such as sewer districts adopt pretreatment standards and requirements that are no less stringent than the federal regulating standards and requirements.

The bill amends the charter of the Berwick Sewer District to incorporate these 2 federal regulatory requirements. This bill specifies the district's authority to adopt rules and regulations consistent with state and federal law, to issue permits under those rules and regulations and to undertake enforcement action. This bill proposed to permit the district to recover civil monetary penalties in an amount of at least \$1,000 per day per violation. In addition, this bill authorizes the district to bring an administrative enforcement action.

COMMITTEE AMENDMENT "A" (H-823) modifies the bill to provide that the district may seek and assess penalties against industrial users who violate the district's pretreatment standards in an amount up to but not exceeding \$1,000 a day. This is consistent with general state law which grants all sewer districts this authority and meets the requirements of federal law. This amendment also provides that when the district assesses penalties it conduct its proceedings in accordance with the Maine Administrative Procedure Act. This amendment also adds a fiscal note to the bill.

HOUSE AMENDMENT "A" (H-828) adds an emergency preamble and emergency clause to the bill.

**LD 1874 An Act to Reduce the Cost of Electricity and to Provide for Market Competition in the Production and Sales of Electricity**

ONTP

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

**SUMMARY**

This bill proposed to establish a process designed to result in divestiture by electric utility companies of generation assets.

Under this bill:

1. Electric utilities would have been required to submit to the Public Utilities Commission by June 1, 1995 a detailed plan for divestiture;