

MAINE STATE LEGISLATURE

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STATE OF MAINE
117TH LEGISLATURE

FIRST REGULAR SESSION

BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
UTILITIES AND ENERGY

AUGUST 1995

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

**SUMMARY OF LEGISLATION BEFORE
THE JOINT STANDING COMMITTEES**

AUGUST 1995

This document is a compilation of the bill summaries prepared by this office for the Joint Standing 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 publication, History and Final Disposition of Legislative Documents, is helpful in determining to which committee any particular bill was referred.

In this document, 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 categories of final action are abbreviated as follows:

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

These summaries were prepared by the analyst or analysts assigned to the committee. If more detailed information is needed on a bill, contact the committee analyst.

5581LHS

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

SUMMARY

This bill proposed to prohibit cable companies from scrambling any cable service, other than pay-per-view or premium services.

This bill also proposed to allow a municipality to require a cable company to pay a percentage of the company's gross receipts to the municipality.

The bill also proposed to instruct the Joint Standing Committee on Utilities and Energy to monitor federal regulations promulgated pursuant to the federal Cable Television Consumer Protection and Competition Act of 1992, and to authorize the committee to report legislation to the Second Regular Session of the 117th Legislature to take necessary state implementation actions.

COMMITTEE AMENDMENT "A" (H-289), which was the majority report of the committee, proposed to strike those provisions of the bill prohibiting certain types of scrambling of cable television services, establishing new reporting requirements for cable television franchisees and requiring the Joint Standing Committee on Utilities and Energy to study cable television regulation. This amendment proposed to preserve the section of the bill permitting towns to impose franchise fees upon companies providing cable television service. The amendment proposed to remove from the bill the provision that would have permitted towns to impose franchise fees on companies providing video dial tone service.

LD 1247 An Act to Create the Overhead High-voltage Line Safety Act

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
TAYLOR	OTP-AM	H-484

SUMMARY

The bill defines the conditions under which work may be carried on around overhead high-voltage lines and provides for the precautionary safety arrangements to be taken when any person engages in work or other activity in proximity to overhead high-voltage lines.

COMMITTEE AMENDMENT "A" (H-484) replaces the bill. This amendment preserves the major provisions of the bill but makes a variety of technical changes to the bill and the following substantive changes:

1. Provides that owners and operators of overhead high-voltage lines who have standard rates for providing precautionary safety measures are not required to provide precautionary safety measures unless payment has been made or agreement for payment reached;
2. Provides an exemption from the requirements of this new law for persons operating agricultural equipment for agricultural purposes. If the equipment will routinely be brought within 10 feet of an overhead high-voltage line, the owner or operator of the equipment must annually give notice to the owner or operator of the high-voltage line;
3. Provides an exemption from the requirements of this new law for water utilities, sewer districts, sanitary districts and municipal sewer departments;
4. Provides that the Public Utilities Commission must keep a list of the contact persons or offices of electric utilities that do not participate in an association for mutual receipt of calls. Under the bill, this function was assigned to the Superior Court system; and

5. Removes the provision requiring that any fines collected for violations of the requirements imposed by the bill be deposited with the Department of Labor for use in safety training programs. Under the amendment, the fines are deposited in the General Fund.

This amendment also adds a fiscal note to the bill.

LD 1268 An Act Relating to Procedures before the Public Utilities Commission

PUBLIC 357

SPONSOR(S)
CARPENTER
KONTOS

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
S-250

SUMMARY

The purpose of this bill is to clarify that the Public Utilities Commission has the discretion to waive all of the notice and approval requirements under the Maine Revised Statutes, Title 35-A, sections 3133 and 3133-A. This bill also makes it clear that the commission, the utility and any other party may request a waiver under Title 35-A, sections 3133 and 3133-A.

COMMITTEE AMENDMENT "A" (S-250) does the following:

1. It adds a provision that exempts from the approval requirements of the Maine Revised Statutes, Title 35-A, section 1101 public utility transactions that do not materially affect the ability of the utility to perform its duties;
2. It adds a provision that allows the Public Utilities Commission to waive any public hearing requirement of Title 35-A unless a party requests a hearing;
3. It repeals a law requiring periodic review of electric utility membership in the New England Electric Power Pool Agreement or NEPOOL. The commission retains authority under other law to investigate utility membership in NEPOOL;
4. It modifies provisions of the bill regarding commission waiver of notice and approval requirements under Title 35-A, sections 3133 and 3133-A relating to electric utility transactions involving certain kinds of utility purchases and significant agreements and contracts. Under this amendment:
 - A. The commission may waive notice and approval requirements only if the utility purchase, fuel conversion or agreement does not involve generating capacity exceeding certain threshold sizes;
 - B. The commission must rule on a request for waiver within 60 days; and
 - C. The threshold for "significant agreements of contracts" that require commission approval is changed; and
5. It adds a fiscal note to the bill.