

# 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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*\*Denotes Chair*



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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 &amp; 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&amp;S XXX</i>	<i>Chapter # of enacted Private &amp; 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

**LD 1281 An Act to Clarify Notice Requirements  
and a Party's Opportunity to be Heard**

PUBLIC 226

**SPONSOR(S)**  
KONTOS  
CARPENTER

**COMMITTEE REPORT**  
OTP-AM

**AMENDMENTS ADOPTED**  
H-249

**SUMMARY**

This bill provides that all parties are entitled to notice of public hearings at the Public Utilities Commission, that all parties are entitled to have subpoenas issued by the commission under the Maine Revised Statutes, Title 5, section 9060 and that parties are entitled to a hearing consistent with Title 5, section 9056. This bill provides that the utility and all other parties to a proceeding are entitled to a notice of the Public Utilities Commission's intent to alter or amend an order issued in that proceeding and that the Public Utilities Commission may determine the scope of the hearing relating to the commission's action.

COMMITTEE AMENDMENT "A" (H-249) adds a fiscal note to the bill.

**LD 1284 An Act to Remove Outdated Provisions from the Public  
Utilities Law**

PUBLIC 225

**SPONSOR(S)**  
KONTOS  
CARPENTER

**COMMITTEE REPORT**  
OTP

**AMENDMENTS ADOPTED**

**SUMMARY**

The Maine Revised Statutes, Title 35-A, section 119 requires the Public Utilities Commission, every 5 years, to do a comprehensive review of Title 35-A and remove outdated provisions. In 1995, the commission was required to undertake a comprehensive review.

This bill removes all references to telegraph utilities and telegraph lines from Title 35-A. Where "telegraph" was included as a permissible way of providing notice to the commission the word "telegraph" is replaced with "facsimile machine" or "electronic media".

**LD 1326 An Act Concerning the Kennebec Water District**

P & S 40

**SPONSOR(S)**  
GWADOSKY

**COMMITTEE REPORT**  
OTP-AM

**AMENDMENTS ADOPTED**  
H-527  
S-313 CARPENTER

**SUMMARY**

This bill proposed to change the configuration of the board of trustees and require that trustee compensation and the selection by the trustees of a chair, treasurer and clerk be approved by a majority vote of the municipal officers of the municipalities representing a majority of the district's population.

COMMITTEE AMENDMENT "A" (H-527) replaces the bill. This amendment does the following:

1. Amends the charter of the Kennebec Water District to provide the following:
  - A. Increases the number of trustees from 7 to 10, composed of 4 from Waterville, 2 from Fairfield, 2 from Winslow, one from Benton and one from Vassalboro; and

- B. Requires the trustees to be elected rather than appointed;
- 2. Establishes a transition from an appointed board to an elected board;
- 3. Makes the amendment and transition conditional on referendum approval in the affected towns;
- 4. Adds a mandate preamble and an emergency preamble to the bill;
- 5. Directs the Public Utilities Commission to undertake an examination of certain issues concerning the district; and
- 6. Adds a fiscal note to the bill.

SENATE AMENDMENT "A" TO COMMITTEE AMENDMENT "A" (S-313), which was developed and approved by the committee, makes a technical change in the committee amendment to reference a recently chaptered Private and Special Law (LD 627) that affects the same section of law that is repealed and replaced by the committee amendment. This change will avoid a potential conflict of law and clarifies that if the referendum provided for in the committee amendment is approved, then the provisions for representation of member municipalities of the Kennebec Water District in the committee amendment apply, not the provisions in the recently chaptered Private and Special Law.

**LD 1332     An Act to Authorize the Town of Topsham to Increase the Amount the Town May Contribute to the Construction Costs of Sewers That Belong or May Later Belong to the Topsham Sewer District**

P & S 27  
EMERGENCY

**SPONSOR(S)**  
TRIPP

**COMMITTEE REPORT**  
OTP-AM

**AMENDMENTS ADOPTED**  
H-269  
H-290 · CAMERON

**SUMMARY**

This bill amends the Topsham Sewer District Charter to allow the Town of Topsham to increase the amount it contributes toward the construction costs of sewer projects.

COMMITTEE AMENDMENT "A" (H-269) clarifies the language of the bill and specifies that the Town of Topsham may, by any lawful means, raise money to assist the Topsham Sewer District in the construction or reconstruction of sewers.

HOUSE AMENDMENT "A" TO COMMITTEE AMENDMENT "A" (H-290) was presented on behalf of the Committee on Bills in Second Reading to correct a typographical error.

**LD 1407     An Act to Establish Safety Standards for All Utility Facilities**

PUBLIC 349

**SPONSOR(S)**  
STONE

**COMMITTEE REPORT**  
OTP-AM

**AMENDMENTS ADOPTED**  
H-472

**SUMMARY**

This bill requires all utilities, including cable television companies, to comply with the National Electric Safety Code, as enhanced or modified by the Public Utilities Commission. This bill also repeals the Maine Revised Statutes, Title 35-A, section 2305, subsection 1, the provisions of which have been written into the new section 2305-A.