

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

- 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.

COMMITTEE AMENDMENT "A" (H-472) redrafts section 3 of the bill for purposes of clarity and adds a fiscal note to the bill.

LD 1420 An Act to Permit Consumer-owned Utilities to Seek Rate Reductions

PUBLIC 255

SPONSOR(S)
CARPENTER

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
S-182

SUMMARY

This bill clarifies that a consumer-owned electric utility may use the same process it uses to increase rates to decrease them. The bill also permits a consumer-owned water utility to use the same process to decrease rates as it uses to increase them.

This bill allows consumer-owned water utilities and consumer-owned electric utilities to reduce rates through certain procedures without going through formal rate cases at the Public Utilities Commission. These utilities can currently increase rates using these procedures. The bill proposed to permit a consumer-owned electric utility to use these procedures to decrease rates no more frequently than once in a year.

COMMITTEE AMENDMENT "A" (S-182) leaves in place current law, which prohibits using these procedures to achieve more than one general increase in rates per year. Under the amendment, a consumer-owned electric utility can reduce rates as often as it chooses using these procedures.

LD 1447 An Act to Create the Hebron Village Water District

P & S 39

SPONSOR(S)
HANLEY

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
S-267

SUMMARY

This bill creates the Hebron Village Water District.

COMMITTEE AMENDMENT "A" (S-267) makes technical corrections to the bill, removes the emergency preamble and the mandate preamble and strikes a section of the bill that would have voided the bill had certain events not occurred. This amendment clarifies that while the bill is subject to approval in a local referendum in the district and does not take effect unless approved in a referendum, the bill does not require that a referendum be held.

This amendment adds a provision requiring a district vote whenever the trustees of the Hebron Village Water District propose to incur indebtedness in excess of \$300,000. Except for debt incurred pursuant to state or federal mandates, the district will also be bound by the Maine Revised Statutes, Title 35-A, section 6304, which requires a district vote on debt of \$150,000 or more, adjusted relative to 1981, whenever a petition is filed by voters of the district.

This amendment also adds a fiscal note to the bill.