

MAINE STATE LEGISLATURE

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**STATE OF MAINE
117TH LEGISLATURE**

SECOND REGULAR SESSION

**BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
UTILITIES AND ENERGY**

JUNE 1996

MEMBERS:

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Sen. Philip E. Harriman
Sen. John J. Cleveland***

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Staff:

Amy B. Holland, Legislative Analyst

Office of Policy and Legal Analysis

Room 101/107/135, 13 State House Station

Augusta, ME 04333

(207)287-1670



**Maine State Legislature
OFFICE OF POLICY AND LEGAL ANALYSIS**

13 State House Station, Augusta, Maine 04333-0013
Telephone: (207) 287-1670
Fax: (207) 287-1275

**ONE HUNDRED SEVENTEENTH LEGISLATURE
SECOND REGULAR SESSION**

***Summary Of Legislation Before The Joint Standing Committees
June 1996***

We are pleased to provide this summary of bills that were considered by the 15 Joint Standing Committees of the Maine Legislature staffed by this office. The document is a compilation of bill summaries which describe each bill, committee amendments and other relevant amendments, as well as the final action taken on the bill. Also included are statistical summaries of bill activity this Session for the Legislature and each of its joint standing committees.

The document is organized for convenient reference to information on bills handled by the joint standing committees. It is organized alphabetically by committees and within committees by bill (LD) number. The committee report(s), prime sponsor for each bill and the lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are listed by paper number. Two indices, a subject index and a numerical index by LD number are provided for easy reference to bills. They are located at the back of the document. A separate publication, History and Final Disposition of Legislative Documents, may also be helpful in providing information on the disposition of bills.

Final action on each bill is noted to the right of the bill title. The abbreviations used for various categories of final action are 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 finally passed 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>

Please note the effective date for all non-emergency legislation enacted in the Second Regular Session (unless otherwise specified in a particular law) is July 4, 1996.

before taking water to supply the inhabitants of the district with pure water, provided the district has obtained the approval of the Department of Environmental Protection.

Chapter 57 was enacted as an emergency measure effective March 5, 1996.

LD 1616

An Act Relating to Pole Attachment Rate Disputes

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CARPENTER	ONTP	A
	OTP-AM	B
	OTP-AM	C

LD 1616 proposed to transfer jurisdiction for settling pole attachment rate disputes from the Public Utilities Commission to the Federal Communications Commission.

Committee Amendment "A" (S-474) is one of two minority reports. It replaced the bill and proposed to maintain the Maine Public Utilities Commission's jurisdiction over pole attachment rate disputes but to specify that the maximum rate that may be prescribed by the commission for pole attachments used by a cable television system solely to provide cable service may not be more than 10% higher than the average pole attachment rate in the other 5 New England states.

The amendment proposed to require the commission to conduct an annual survey of the pole attachment rates charged in the 6 New England states and to calculate the average pole attachment rate in the other 5 New England states for attachments to solely owned and jointly owned poles, with both 2 attachments and 3 attachments. The amendment also proposed to require the commission to submit an annual report to the Joint Standing Committee on Utilities and Energy on the status of pole attachment rate disputes in the State.

Finally, the amendment proposed to specify that existing agreements between public utilities and cable companies are not affected by this legislation.

The amendment also proposed to add a fiscal note to the bill. (Not adopted)

Committee Amendment "B" (S-475) is one of two minority reports of the Joint Standing Committee on Utilities and Energy. It replaced the bill and proposed to maintain the Maine Public Utilities Commission's jurisdiction over pole attachment rate disputes but to specify that the maximum rate that may be prescribed by the commission for pole attachments by a cable television system is \$17 per year per pole. The amendment proposed to provide for repeal of the rate cap 90 days after the adjournment of the First Regular Session of the 120th Legislature. (Not adopted)