

MAINE STATE LEGISLATURE

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**STATE OF MAINE
118TH LEGISLATURE**

**FIRST REGULAR SESSION
AND
FIRST SPECIAL SESSION**

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

JULY 1997

MEMBERS:

Sen. Richard J. Carey, Chair

Sen. John J. Cleveland

Sen. Philip E. Harriman

Rep. Kyle W. Jones, Chair

Rep. Carol A. Kontos

Rep. Ronald E. Usher

Rep. Gary O'Neal

Rep. Patrick Colwell

Rep. Charles C. Laverdiere

Rep. Joseph B. Taylor

Rep. Henry L. Joy

Rep. Donald P. Berry, Sr.

Rep. John W. Vedral

Staff:

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Maine State Legislature

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**ONE HUNDRED EIGHTEENTH LEGISLATURE
FIRST REGULAR AND FIRST SPECIAL SESSIONS**

**Summary Of Legislation Before The Joint Standing Committees
August 1997**

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. These bill summaries also are available at the Law and Legislative Reference Library and on the Internet (www.state.me.us/legis/opla).

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:

- CARRIED OVER*.....*Bill carried over to Second Regular Session*
- CON RES XXX*.....*Chapter # of Constitutional Resolution passed by both Houses*
- CONF CMTE UNABLE TO AGREE*.....*Committee of Conference unable to agree; bill died*
- DIED BETWEEN BODIES*.....*House & Senate disagree; bill died*
- DIED IN CONCURRENCE*.....*One body accepts ONTP report; the other indefinitely postpones the bill*
- DIED ON ADJOURNMENT*.....*Action incomplete when session ended; bill died*
- EMERGENCY*.....*Enacted law takes effect sooner than 90 days*
- FAILED EMERGENCY ENACTMENT/FINAL PASSAGE*.....*Emergency bill failed to get 2/3 vote*
- FAILED ENACTMENT/FINAL PASSAGE*.....*Bill failed to get majority vote*
- FAILED MANDATE ENACTMENT*.....*Bill imposing local mandate failed to get 2/3 vote*
- INDEF PP*.....*Bill Indefinitely Postponed*
- ONTP*.....*Ought Not To Pass report accepted*
- OTP ND*.....*Committee report Ought To Pass In New Draft*
- OTP ND/NT*.....*Committee report Ought To Pass In New Draft/New Title*
- P&S XXX*.....*Chapter # of enacted Private & Special Law*
- PUBLIC XXX*.....*Chapter # of enacted Public Law*
- RESOLVE XXX*.....*Chapter # of finally passed Resolve*
- UNSIGNED*.....*Bill held by Governor*
- VETO SUSTAINED*.....*Legislature failed to override Governor's Veto*

Please note the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is June 26, 1997 and September 19, 1997 for the First Special Session.

David E. Boulter, Director

Offices Located in the State House, Rooms 101/107/135

LD 382 **An Act to Prohibit the Public Utilities Commission from Directing Utility Overcharges to Any Program Other Than Repayment to Ratepayers** **ONTP**

<u>Sponsor(s)</u> CAREY		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 382 proposed to prohibit the Public Utilities Commission from directing utility customer overcharges to be used in any manner other than the reduction of the rates charged to those customers who have been overcharged or direct rebates to those customers.

LD 483 **An Act to Create Industrial Enterprise Districts to Promote Economic Development and to Retain and Increase Good Quality Jobs by Providing More Competitive Electric Rates within the Districts** **ONTP**

<u>Sponsor(s)</u> O'GARA		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 483 proposed to allow a municipality to establish within the municipality an industrial enterprise district in which electric rates would be reduced for eligible businesses.

LD 499 **An Act to Amend the Charter of the Canton Water District** **ONTP**

<u>Sponsor(s)</u> FERGUSON		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 499 proposed to require the trustees of the Canton Water District to hold the district's annual meeting within the first two weeks of June.

LD 502 **An Act to Require Fair Compensation for Ratepayer Assets Used by a Subsidiary or an Affiliate of a Utility** **PUBLIC 237**

<u>Sponsor(s)</u> CLEVELAND KONTOS		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> S-161
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LD 502 proposed to require the Public Utilities Commission to quantify the value of facilities, services and intangibles used by affiliated interests of utilities and to compensate ratepayers for their contributions to that value. The bill also proposed to require the commission to adjudicate complaints by competitors of a

utility or utility affiliate alleging the utility or its affiliate possess an unfair competitive advantage in an unregulated market.

Committee Amendment "A" (S-161) proposed to modify the provisions of the bill dealing with the Public Utilities Commission adjudication of complaints by persons competing with a utility or an affiliate of a utility in an unregulated market. This amendment provides that the commission may dismiss without hearing any complaint that, after summary investigation, it concludes is clearly intended to harass or delay, is frivolous or is clearly without merit.

This amendment also proposed to impose certain time limits on commission determinations under the bill.

Enacted law summary
Public Law 1997, chapter 237 requires the Public Utilities Commission to quantify the value of facilities, services and intangibles used by affiliated interests of utilities and to compensate ratepayers for their contributions to that value. It also requires that the commission adjudicate reasonable complaints by competitors of a utility or utility affiliate alleging the utility or its affiliate possess an unfair competitive advantage in an unregulated market.

LD 529 An Act to Conform the Lien Procedures Within the Charter of Boothbay Harbor Sewer District to Statutory Lien Procedures P & S 14

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HONEY KILKELLY	OTP-AM	H-133

LD 529 proposed to grant to the Boothbay Harbor Sewer District the same lien notice and collection rights available to sanitary districts under the Maine Revised Statutes, Title 38.

Committee Amendment "A" (H-133) proposed a technical change to the bill.

Enacted law summary
Private and Special Law 1997, chapter 14 grants to the Boothbay Harbor Sewer District the same lien notice and collection rights available to sanitary districts under the Maine Revised Statutes, Title 38.

LD 565 An Act to Require Approval of Municipalities for Construction of Natural Gas Pipelines ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
COWGER TREAT	ONTP MAJ OTP MIN	

LD 565 proposed to require natural gas utilities to comply with municipal land use ordinances and zoning ordinances prior to constructing any natural gas pipeline.