

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

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Rep. Donald P. Berry, Sr.

Rep. John W. Vedral

Staff:

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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:

<i>CARRIED OVER</i>	<i>Bill carried over to Second Regular 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 IN CONCURRENCE</i>	<i>One body accepts ONTP report; the other indefinitely postpones the bill</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/FINAL PASSAGE</i>	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED ENACTMENT/FINAL PASSAGE</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>OTP ND</i>	<i>Committee report Ought To Pass In New Draft</i>
<i>OTP ND/NT</i>	<i>Committee report Ought To Pass In New Draft/New Title</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>Bill held by Governor</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 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 578

**An Act to Prohibit Retrofits of Nuclear Power Plants without
Permission of the Public Utilities Commission**

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BERRY R	ONTP	

LD 578 proposed to require any licensee of the United States Nuclear Regulatory Commission who proposes to invest in a major retrofit of a nuclear power plant to first obtain a certificate of public convenience and necessity from the Public Utilities Commission. The certificate would have established the need for the retrofit and the prudence of the investment, considering the potential impact on ratepayers in this State.

LD 601

An Act to Provide Municipal Notification of Utility Services

PUBLIC 199

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAGGETT	OTP-AM	S-146

LD 601 was referred jointly to the Utilities and Energy Committee and the State and Local Government Committee. It proposed to repeal the law prohibiting utilities from installing service to a lot or dwelling unit until municipal officers have certified that the lot or dwelling unit is in compliance with shoreland zoning and subdivision laws. It proposed instead to require a utility to notify the municipal officers before installing services, unless it has received prior authorization from the municipal inspector.

Committee Amendment "A" (S-146) replaced the bill. It proposed to maintain the current law requiring utilities to obtain written certification that lots or units comply with municipal ordinances before installing utility services, but to add a provision allowing each municipality to establish alternate procedures with utilities if it so chooses. The municipality and the utility must agree to the alternate procedures before they supersede existing requirements.

Enacted law summary

Public Law 1997, chapter 199 allows municipalities to agree to an alternate procedure for utility companies to notify the municipality before installing utility services to a lot or dwelling unit, in order to give the municipality a chance to ensure that the lot or dwelling unit complies with municipal ordinances.

LD 667

**An Act to Create and Incorporate the Jackman Utility District by
Merger of the Jackman Water District and the Jackman Sewer
District**

**P & S 30
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MILLS	OTP-AM	S-165

LD 667 proposed to combine the Jackman Water District and the Jackman Sewer District under the new name of the Jackman Utility District.

Committee Amendment "A" (S-165) proposed technical corrections to the bill. The amendment also proposed to clarify that the Jackman Utility District is comprised only of the Town of Jackman but that the district is required to serve the Town of Moose River, Dennistown Plantation and Attean Township. The amendment also proposed to create a transition board to serve until the board of the new district is in place.

Enacted law summary

Private and Special Law 1997, chapter 30 combines the Jackman Water District and the Jackman Sewer District under the new name of the Jackman Utility District and creates a transition board to serve until the board of the new district is in place. The law is effective on May 20, 1997 for the purposes of allowing it to be put out for local referendum approval.

LD 707 **An Act to Require a Percentage of Natural Gas Flowing through the State to Be Reserved for Maine Users** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GOODWIN	ONTP	

LD 707 proposed to prohibit an interstate natural gas pipeline from being constructed or operated in this State after January 1, 1998 unless at least 5% of the annual amount of natural gas flowing through the pipeline is offered for sale for resale to Maine consumers.

LD 724 **An Act to Amend the Charter of the Portland Water District** **P & S 15
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TAYLOR BUTLAND	OTP-AM	H-134

LD 724 proposed to modify the charter of the Portland Water District to allow the district to contract with firms and municipalities to provide storm drain services and permit the trustee election dates in the Town of Gorham, the Town of Cape Elizabeth, the Town of Scarborough, the City of South Portland and the City of Westbrook to coincide with regular municipal elections.

Committee Amendment "A" (H-134) proposed to add a transition clause to clarify that terms of certain trustees of the Portland Water District are extended to coincide with the dates established by the bill for the election of their successors.

Enacted law summary

Private and Special Law 1997, chapter 15 modifies the current charter of the Portland Water District to allow it to contract with firms and municipalities to provide storm drain services and to permit the trustee