

# 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**

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*Sen. John J. Cleveland*

*Sen. Philip E. Harriman*

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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](http://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 &amp; 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&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 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

Title 35-A that relate to regulation of telephone utility rates, issuance of long-term debt, the selling of property useful in the performance of public duties, mergers with other utilities, acquisition of stock of other utilities and abandonment of service. The law provides that the commission may grant exemptions only to the extent that they are in the public interest. The commission may, for good cause, revoke any exemption granted. The law also: (1) requires the Public Utilities Commission, by December 1, 1997, to issue a report to the Joint Standing Committee on Utilities and Energy concerning deregulation of telecommunications services; (2) prohibits the Public Utilities Commission from granting any exemptions pursuant to Title 35-A, section 307-A, 912 or 1105 until February 1, 1998; and (3) authorizes the Joint Standing Committee on Utilities and Energy to report out legislation concerning regulation or deregulation of telecommunications services to the Second Regular Session of the 118th Legislature.

**LD 767**                      **An Act to Clarify Sanitary District and Sewer District Authority to Adopt Impact Fees**                      **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DEXTER	ONTP      MAJ OTP-AM    MIN	

LD 767, which was initially referenced to and reported out of the Natural Resources Committee, was re-referred to this committee. The bill proposed to require that impact fees established by sewer or sanitary districts conform to the requirements of law that apply to impact fees established by municipalities.

**Committee Amendment "B" (H-548)**, the minority report of the committee, proposed that impact fees collected by sewer and sanitary districts be subject to regulation by the Public Utilities Commission.

**LD 783**                      **An Act to Allow Certain Public Utilities to Extend Their Service into Areas Serviced by Other Public Utilities**                      **ONTP**

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

LD 783 proposed to overturn the ruling of the Public Utilities Commission, confirmed by the Law Court, that a public utility acquire commission approval prior to extending its service into another utility's service territory beyond the area the first utility was serving on October 8, 1967.

**LD 805**                      **An Act to Create the Oquossoc Standard Water District**                      **P & S 21  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BENOIT BARTH	OTP-AM	S-112

LD 805 proposed to create the Oquossoc Standard Water District.

**Committee Amendment "A" (S-112)** proposed to add a mandate preamble; to clarify the area outside the territory of the proposed Oquossoc Standard District in which the district is authorized to take water; to clarify that only voters within the district are authorized to vote for district trustees; to make a reference to election procedures for elections of trustees of standard water districts; and to modify the referendum clause to provide that only voters within the proposed district are eligible to vote on the creation of the district.

*Enacted law summary*

Private and Special Law 1997, chapter 21 creates the Oquossoc Standard Water District. The law is effective on May 13, 1997 for the purposes of allowing it to be put out for local referendum approval.

**LD 807**

**An Act to Amend the Charter of the Winthrop Utilities District**

**P & S 16**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TREAT MCKEE	OTP-AM	S-85

LD 807 proposed to replace the charter for the Winthrop Water District.

**Committee Amendment "A" (S-85)** proposed to replace the bill. It proposed to repeal and replace most of the charter of the Winthrop Utilities District in order to update the charter language, to remove obsolete references and to preserve the district's tax-exempt status.

*Enacted law summary*

Private and Special Law 1997, chapter 16 repeals and replaces most of the charter of the Winthrop Utilities District in order to update the charter language, to remove obsolete references and to preserve the district's tax-exempt status.

**LD 810**

**An Act to Clarify the Duties of the Office of the Public Advocate**

**PUBLIC 166**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HARRIMAN	OTP-AM	S-109

LD 810 proposed to limit the duties of the office of the Public Advocate to representation of residential and commercial users and consumers whose views are not being represented before the Public Utilities Commission.

**Committee Amendment "A" (S-109)** proposed to replace the bill. It proposed to require the Public Advocate to give priority to representing low-income, residential, small business and other consumers who are not represented or inadequately represented in matters within the jurisdiction of the Public Utilities Commission.