

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
118TH LEGISLATURE

SECOND REGULAR SESSION  
AND  
SECOND SPECIAL SESSION

BILL SUMMARIES  
JOINT STANDING COMMITTEE  
ON  
UTILITIES AND ENERGY

MAY 1998

**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*

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

**Summary Of Legislation Before The Joint Standing Committees**  
**May 1998**

We are pleased to provide this summary of bills that were considered by the Joint Standing Committees of the Maine Legislature. The document is a compilation of bill summaries which describe each bill and relevant amendments, as well as the final action taken. 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 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:

- 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 Second Regular Session (unless otherwise specified in a particular law) is June 30, 1998 and July 9, 1998 for the Second Special Session. Second Special Session laws include Public Laws beginning with Chapter 718, Private and Special Laws beginning with Chapter 82 and Resolves beginning with Chapter 117.

<u>Sponsor(s)</u> LAVERDIERE	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-803
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LD 1987 proposed to amend the criteria used by the Public Utilities Commission in determining the terms under which a utility may refinance a contract with a qualifying facility pursuant to the Rate Stabilization Program. The bill also proposed to increase the time in which the commission must make its determination from 60 days to 120 days.

**Committee Amendment "A" (H-803)** proposed to preserve that portion of the bill that increased the time in which the Public Utilities Commission may issue or deny a certificate of approval for an electric rate stabilization agreement. The amendment proposed to replace the portion of the bill dealing with the standard of review used by the commission in making its decision. Under this amendment, the commission would be required to find that the agreement would provide substantial net benefits to ratepayers of the utility and would be required to deny a certificate if it concluded that alternative arrangements providing greater net benefits to ratepayers were reasonably likely to be available to the utility.

#### *Enacted law summary*

Public Law 1997, chapter 593 increases the time in which the Public Utilities Commission may issue or deny a certificate of approval for an electric rate stabilization agreement. The law changes the standard of review used by the commission in making its decision: The commission must find that the agreement will provide substantial net benefits to ratepayers of the utility and must deny a certificate if it concludes that alternative arrangements providing greater net benefits to ratepayers are reasonably likely to be available to the utility.

<u>Sponsor(s)</u> CLUKEY MICHAUD	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-826
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LD 1989 proposed to allow the Houlton Water Company to provide fiber-optic cable telecommunications service. It also proposed to authorize Houlton Water Company to provide natural gas service.

**Committee Amendment "A" (H-826)** proposed that the Houlton Water Company may not take the property of another public utility used in providing service to the public or in performing a public duty unless the Public Utilities Commission finds that the taking is in the public interest.

#### *Enacted law summary*

Private and Special Law 1997, chapter 67 allows the Houlton Water Company to provide fiber-optic cable telecommunications service and natural gas service. The law provides that the Houlton Water Company may not take the property of another public utility used in providing service to the public or in performing a public duty unless the Public Utilities Commission finds that the taking is in the public interest.