

MAINE STATE LEGISLATURE

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**STATE OF MAINE
119TH LEGISLATURE**

FIRST REGULAR SESSION

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

JULY 1999

MEMBERS:

Sen. Richard J. Carey, Chair

Sen. Carol A. Kontos

Sen. Betty Lou Mitchell

Rep. Thomas M. Davidson, Chair

Rep. Patrick Colwell

Rep. Charles C. LaVerdiere

Rep. Bruce S. Bryant

Rep. Monica McGlocklin

Rep. William R. Savage

Rep. Donald P. Berry, Sr.

Rep. Harry G. True

Rep. Richard H. Duncan

Rep. Richard W. Rosen

Staff:

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**ONE HUNDRED NINETEENTH LEGISLATURE
FIRST REGULAR SESSION**

**Summary Of Legislation Before The Joint Standing and Select Committees
August 1999**

We are pleased to provide this summary of all bills that were considered by the Joint Standing and Select Committees of the Maine Legislature this past session. 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 and select committees.

The document is organized for convenient reference to information on bills considered by the 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).

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*
- ENACTMENT FAILED*..... *Bill failed to get vote required for enactment or final passage*
- NOT PROPERLY BEFORE THE BODY*..... *Ruled out of order by the presiding officers; bill died*
- 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 September 18, 1999.

LD 672

An Act to Permit Water Utilities and Sewer and Sanitary Districts to Establish Lower Rates for Elderly Homeowners

ONTP

Sponsor(s)
DOUGLASS

Committee Report
ONTP

Amendments Adopted

LD 672 proposed to authorize public and private water utilities and sanitary and sewer districts to establish a discount rate for residential consumers who are 65 years of age or older.

LD 704

An Act Relating to Governmental Aggregation Services

**PUBLIC 231
EMERGENCY**

Sponsor(s)
MITCHELL C
DAGGETT

Committee Report
OTP-AM

Amendments Adopted
H-331

LD 704 proposed to authorize the Maine Municipal Bond Bank, after the advent of electric industry restructuring, to organize and administer the cooperative bulk purchase of electricity and fuel commodities by local governmental units and nonprofit corporations.

Committee Amendment "A" (H-331) proposed to replace the bill and amend the title to reflect the content of the amendment. This amendment proposed:

1. To remove the authority for the Maine Health and Higher Educational Facilities Authority to provide certain commodities purchasing and transfer services, including aggregation services, to employees of health care and higher education entities;
2. To permit the Maine Municipal Bond Bank to offer aggregation services to governmental units and nonprofit corporations; and
3. To provide that the Maine Municipal Bond Bank:
 - A. Is subject to all applicable provisions of law, including those provisions of the Maine Revised Statutes, Title 35-A relating to aggregators of customers of electricity;
 - B. Must provide to any entity to whom it offers to provide aggregation services notice that the entity is under no obligation to accept such services and that no other service provided by the bank is conditional upon or affected by the entity's acceptance or rejection of the offer;
 - C. May not extend credit or vary the terms of credit based on an entity's acceptance or rejection of an offer by the bank to provide aggregation services; and
 - D. May not encourage or otherwise seek to persuade any entity to accept aggregation services, if the entity has an application with the bank for a loan, until after the bank has taken final action on approving or rejecting the application.

The amendment also proposed to add a fiscal note to the bill.

Enacted law summary

Public Law 1999, chapter 231

1. Removes the authority for the Maine Health and Higher Educational Facilities Authority to provide certain commodities purchasing and transfer services, including aggregation services, to employees of health care and higher education entities; and
2. Permits, with certain limitations, the Maine Municipal Bond Bank to offer aggregation services to governmental units and nonprofit corporations.

Chapter 231 was enacted as an emergency measure effective May 18, 1999.

LD 710 **An Act Regarding Criteria for Approval of a Public Utility Reorganization by the Public Utilities Commission** **ONTP**

<u>Sponsor(s)</u> MCNEIL	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 710 proposed to provide that no reorganization by a public utility may be approved by the Public Utilities Commission unless it is established by the applicant for approval that the reorganization is consistent with the interests of the utility's ratepayers and investors and that any benefits derived from the reorganization, financial or otherwise, will be shared equally between the company's ratepayers and investors.

LD 735 **An Act Authorizing the Public Utilities Commission to Award Damages to Customers Damaged by Substandard Utility Service** **ONTP**

<u>Sponsor(s)</u> COLWELL	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 735 proposed to allow the Public Utilities Commission to compensate consumers for damages caused by a utility without requiring such customers to file individual actions in a court of law. This bill was submitted on behalf of the Office of the Public Advocate.

LD 756 **Resolve, to Create a Task Force to Study Ways to Improve and Streamline the Regulation of Water Utilities** **INDEF PP**

<u>Sponsor(s)</u> GOLDTHWAIT	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u>
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LD 756 proposed to create a task force to study the State's regulation of water utilities. The task force would be charged with investigating ways in which state regulation may be improved.

Committee Amendment "A" (S-45) proposed to change the membership of the Task Force; to require the task force to elect its chair from its members; to provide for compensation for legislative and public members of the task force; to authorize the task force to seek assistance from the Office of Policy and Legal Analysis in drafting any recommended legislation; to move the reporting date to January 1, 2000. This amendment was adopted in both bodies although the bill was subsequently indefinitely postponed.