

# 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](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:

*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.

**House Amendment "A" to Committee Amendment "A" (H-213)** proposed to change the reporting date from January 15, 2000 to December 31, 1999. This amendment was adopted in both bodies although the bill was subsequently indefinitely postponed.

**LD 767**                      **Resolve, Regarding Legislative Review of Chapter 311: Renewable Resource Portfolio Requirement, a Major Substantive Rule of the Public Utilities Commission**                      **RESOLVE 47 EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u> OTP	<u>Amendments Adopted</u>
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LD 767 proposed approval of Chapter 311: Renewable Resource Portfolio Requirement, a major substantive rule of the Public Utilities Commission.

*Enacted law summary*

Resolve 1999, chapter 47 approves Chapter 311: Renewable Resource Portfolio Requirement, a major substantive rule of the Public Utilities Commission.

The renewable resource portfolio requirements in law were amended by LD 2154 and commensurate changes to the rules required.

Chapter 47 was enacted as an emergency measure effective May 24, 1999.

**LD 768**                      **Resolve, Regarding Legislative Review of Chapter 301: Standard Offer Service, a Major Substantive Rule of the Public Utilities Commission**                      **RESOLVE 37 EMERGENCY**

<u>Reported by</u> DAVIDSON	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-328
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LD 768 proposed approval of Chapter 301: Standard Office Service, a major substantive rule of the Public Utilities Commission.

**Committee Amendment "A" (H-328)** proposed to authorize the Public Utilities Commission to finally adopt its rule, Chapter 301: Standard Offer Service, provided it made certain changes to the rule.

*Enacted law summary*

Resolve 1999, chapter 37 authorizes the Public Utilities Commission to finally adopt its rule, Chapter 301: Standard Offer Service, provided it makes several changes to the rule that accomplish the following:

1. Establish standard offer classes and require providers to bid separately on each class;
2. Set the initial period of the standard offer at one year;
3. Assign responsibility for uncollectibles to standard offer providers;

4. Provide for electric utilities to arrange standard offer service in cases where the Public Utilities Commission determines there is a lack of sufficient bids; and
5. Make the rule consistent with other commission rules governing interactions between providers and electric utilities.

Chapter 37 was enacted as an emergency measure effective May 18, 1999.

**LD 769**

**Resolve, Regarding Legislative Review of Chapter 304: Standard of Conduct for Transmission and Distribution Utilities and Affiliated Competitive Electricity Providers, a Major Substantive Rule of the Public Utilities Commission**

**RESOLVE 36  
EMERGENCY**

Reported by  
DAVIDSON

Committee Report  
OTP-AM

Amendments Adopted  
H-329

LD 769 proposed approval of Chapter 304: Standard of Conduct for Transmission and Distribution Utilities and Affiliated Competitive Electricity Providers, a major substantive rule of the Public Utilities Commission.

**Committee Amendment "A" (H-329)** proposed to authorize the Public Utilities Commission to finally adopt its rule, Chapter 304: Standard of Conduct for Transmission and Distribution Utilities and Affiliated Competitive Electricity Providers, provided it made certain changes to the rule.

***Enacted law summary***

Resolve 1999, chapter 36 authorizes the Public Utilities Commission to finally adopt its rule, Chapter 304: Standard of Conduct for Transmission and Distribution Utilities and Affiliated Competitive Electricity Providers, provided it:

1. Modifies the rule to remove references to the release of customer proprietary information; this issue is the subject of LD 1214; and
2. Modifies the rule to clarify that nothing in the rule prevents a distribution utility from entering into a special contract offering a special rate to a customer or group of customers pursuant to a rate flexibility program approved by the Public Utilities Commission under the Maine Revised Statutes, Title 35-A, section 3195, subsection 6.

See also LD 2154 for other issues related to standards of conduct for transmission and distribution utilities.

Chapter 36 was enacted as an emergency measure effective May 18, 1999.

**LD 790**

**Resolve, Regarding Legislative Review of Chapter 380: Energy Conservation Programs by Electric Transmission and Distribution Utilities, a Major Substantive Rule of the Public Utilities Commission**

**RESOLVE 42  
EMERGENCY**

Reported by  
DAVIDSON

Committee Report  
OTP-AM

Amendments Adopted  
H-400

LD 790 proposed approval of Chapter 380: Energy Conservation Programs by Electric Transmission and Distribution Utilities, a major substantive rule of the Public Utilities Commission.