

# 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*

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*Rep. Donald P. Berry, Sr.*

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*Rep. Richard H. Duncan*

*Rep. Richard W. Rosen*

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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.

*David E. Boulter, Director*  
Offices Located in the State House, Rooms 101/107/135

**Committee Amendment "A" (H-400)** proposed disapproval of final adoption of Chapter 380: Energy Conservation Programs by Electric Transmission and Distribution Utilities, a major substantive rule of the Public Utilities Commission.

*Enacted law summary*

Resolve 1999, chapter 42 disapproves final adoption of Chapter 380: Energy Conservation Programs by Electric Transmission and Distribution Utilities, a major substantive rule of the Public Utilities Commission. Issues associated with conservation programs are addressed in LD 1398.

Chapter 42 was enacted as an emergency measure effective May 20, 1999.

**LD 795                      An Act to Except Grading from Definition of Excavation in Dig Safe Law                      ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
NUTTING J JACOBS	ONTP	

LD 795 proposed to allow an excavator to grade the surface of a road or highway without having to get an excavation permit or to comply with the dig safe law if grading was the only activity performed by the excavator.

**LD 876                      An Act to Amend the Renewable Portfolio Standard to Promote Maine's Renewable Energy Facilities                      ONTP**

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

LD 876 proposed to amend the electric industry restructuring laws

1. To amend the definition of "renewable resource" to exclude cogeneration facilities that use fossil fuels; and
2. To change the renewable resource portfolio standard to require that at least 30% of a provider's portfolio of electricity supplies for each retail electricity product sold to consumers in this State is accounted for by renewable resources.

Issues associated with the renewable resource portfolio requirement were dealt with in LD 2154.

**LD 894                      An Act to Facilitate Price Comparisons for Utility Service                      ONTP**

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

LD 894 proposed to extend the Public Advocate's authority to require and publish rate comparisons for industries experiencing competition for utility service, such as the electricity marketing and natural gas industries, and to require the Public Utilities Commission and the Public Advocate to jointly specify the format for information provided by utilities for this purpose. This bill was submitted on behalf of the Office of the Public Advocate.

**LD 907                      An Act to Facilitate the Transition to Electric Utility Competition                      ONTP**

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

LD 907 proposed to allow utilities the flexibility to phase in the transition to a competitive generation market during the month of March 2000.

**LD 1057                      Resolve, Directing the Public Utilities Commission to Investigate Whether Internet Traffic Should Be Classified as Local or Toll                      ONTP**

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

LD 1057 proposed to require the Public Utilities Commission to investigate whether internet traffic should be classified as local or toll traffic.

**LD 1185                      Resolve, to Establish the Energy Policy Commission                      INDEF PP**

<u>Sponsor(s)</u>		<u>Committee Report</u>		<u>Amendments Adopted</u>
O'NEIL		OTP-AM		

LD 1185 proposed to establish a Renewable Energy Policy Commission to develop a state renewable energy policy that promotes energy self-reliance and emphasizes low-impact electric power generation and distribution.

**Committee Amendment "A" (H-254)** proposed to replace the resolve and establish an Energy Policy Commission. The purpose of the commission would be to develop a state energy policy in the context of the restructuring of the electric industry. This report was accepted by both bodies although the bill was subsequently indefinitely postponed.

**LD 1194                      Resolve, Relating to Basic Service Calling Areas                      RESOLVE 32**

<u>Sponsor(s)</u>		<u>Committee Report</u>		<u>Amendments Adopted</u>
LONGLEY		OTP-AM		H-337 DAVIDSON S-91

LD 1194 proposed to require the Public Utilities Commission, on petition, to expand a basic service calling area that encompasses only a single exchange.