

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

**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:

Jon Clark, Legislative Analyst

Office of Policy and Legal Analysis

Room 101/107/135, 13 State House Station

Augusta, ME 04333

(207)287-1670



**Maine State Legislature
OFFICE OF POLICY AND LEGAL ANALYSIS**

13 State House Station, Augusta, Maine 04333-0013
Telephone: (207) 287-1670
Fax: (207) 287-1275

**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 1396

An Act Relating to Contractual Obligations of Electric Utilities after Restructuring

ONTP

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

LD 1396 proposed to provide that the electric industry restructuring laws do not absolve electric utilities from their obligations under contracts entered into on or before February 29, 2000. The issues raised by this bill were addressed in LD 2154.

LD 1398

An Act to Secure Environmental and Economic Benefits from Electric Utility Restructuring

PUBLIC 336

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAVIDSON CAREY	OTP-AM	H-522

LD 1398 proposed creation of a tradable credit program, under rules to be established by the Department of Environmental Protection, that would be administered by a new quasi-governmental agency proposed to be created by this bill, the Energy Management Authority of Maine, with authority to aggregate the credits earned as a result of energy efficiency programs targeted at electric consumers or resulting from the purchases of electricity at state agency facilities or on behalf of low-income customers enrolled in the Low-Income Home Energy Assistance Program. The bill also proposed to direct the Energy Management Authority of Maine to undertake the statewide planning, management and coordination of all energy efficiency services that are paid for in the rates of transmission and distribution customers. Finally, the Energy Management Authority of Maine would be directed to undertake the development of a state strategy for pursuing other energy efficiency opportunities that arise as a result of electric industry restructuring and to receive the advice of the 15-member board of stakeholders, citizen advisors and industry representatives. The bill proposed to repeal authorization for these activities in July 2007.

Committee Amendment "A" (H-522) proposed to replace the bill. The amendment proposed:

1. To modify the conservation program established under the electric industry restructuring law as follows:
 - A. Direct the State Planning Office to design and monitor the program;
 - B. Provide that energy efficiency service providers may be chosen without a competitive bidding process if the commission finds this is in the State’s best interest and is consistent with the program developed by the State Planning Office;
 - C. Require total conservation program expenditures, including costs associated with funding program planning costs incurred by the State Planning Office, to be no more than .15 cent per kilowatt-hour, to be based on relevant characteristics of each transmission and distribution utility’s service territory and to be no less than .5% of the total transmission and distribution revenues of the utility;
 - D. Provide for an assessment on transmission and distribution utilities to fund State Planning Office development and monitoring of the conservation program and establishes a special fund for this purpose;
 - E. Require the commission to adopt routine technical rules to implement the conservation program requirements;

2. To move provisions directing the State Planning Office to undertake energy planning activities to the new section of law which describes the Office's new duties with respect to conservation programs and add to the Office's energy planning duties the duty to coordinate state agency actions that affect the consumption of energy; and
3. To add a new position within the State Planning Office, funded by the Conservation Program Fund, to undertake the energy planning and conservation program activities.

Enacted law summary

Public Law 1999, chapter 336 Public Law 1999, chapter 336

1. Modifies the conservation program established under the electric industry restructuring law as follows:
 - A. Directs the State Planning Office to design and monitor the program;
 - B. Provides that energy efficiency service providers may be chosen without a competitive bidding process if the commission finds this is in the State's best interest and is consistent with the program developed by the State Planning Office;
 - C. Requires total conservation program expenditures, including costs associated with funding program planning costs incurred by the State Planning Office, to be no more than .15 cent per kilowatt-hour, to be based on relevant characteristics of each transmission and distribution utility's service territory and to be no less than .5% of the total transmission and distribution revenues of the utility;
 - D. Provides for an assessment on transmission and distribution utilities to fund State Planning Office development and monitoring of the conservation program and establishes a special fund for this purpose;
 - E. Requires the commission to adopt routine technical rules to implement the conservation program requirements;
2. Moves provisions directing the State Planning Office to undertake energy planning activities to the new section of law which describes the Office's new duties with respect to conservation programs and adds to the Office's energy planning duties the duty to coordinate state agency actions that affect the consumption of energy; and
3. Adds a new position within the State Planning Office, funded by the Conservation Program Fund, to undertake the energy planning and conservation program activities.

LD 1402

Resolve, Relating to Telemarketing Fraud

INDEF PP

Sponsor(s)
AHEARNE

Committee Report
OTP-AM

Amendments Adopted

LD 1402 proposed to create a registration requirement for telemarketers doing business in Maine and to require telemarketers to keep certain records and make certain disclosures to consumers. The bill also proposed to prohibit various acts and practices of telemarketers and to provide for criminal penalties and civil remedies.

Committee Amendment "A" (H-113) proposed to replace the bill. The Joint Standing Committee on Utilities and Energy requested by letter that the Attorney General work with interested parties in developing proposals for addressing telemarketing fraud. This amendment proposed to provide authority for the committee to report out legislation related to telemarketing to the Second Regular Session of the 119th Legislature in response to the proposals developed by the Attorney General. The amendment was not enacted; in its stead was enacted a joint order providing precisely the same authority to the committee.