

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:

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Sen. Carol A. Kontos

Sen. Betty Lou Mitchell

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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 1407

An Act to Reduce the Cost to Ratepayers of Decommissioning and Nuclear Waste Storage at the Maine Yankee Nuclear Power Plant

PUBLIC 173

<u>Sponsor(s)</u> KILKELLY PIEH	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> S-102
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LD 1407 changes the restrictions for investment of the Spent Nuclear Fuel Disposal Trust Fund to encourage a greater return on investment of those funds and a corresponding reduction in the amount ratepayers will be charged for disposal of spent fuel. The proposed restriction is the standard permitted by the Federal Energy Regulatory Commission for decommissioning trust funds.

The bill also proposed to permit the Maine Yankee Nuclear Power Plant to draw funds earmarked for payment to the United States Department of Energy for disposal of spent fuel waste to offset past and future costs of on-site storage.

The bill proposed to provide for the transfer of funds collected for the disposal of low-level radioactive waste to the Maine Yankee Decommissioning Trust Fund for the purpose of reducing decommissioning costs.

Committee Amendment "A" (S-102) proposed to remove a limitation on payments from the Spent Nuclear Fuel Disposal Fund for funding expenditures for interim storage of spent nuclear fuel. The bill proposed to require payments for on-site interim storage expenditures; the amendment proposed to require payments for interim storage expenditures, regardless of whether the storage is on-site.

Enacted law summary

Public Law 1999, chapter 173 changes the restrictions for investment of the Spent Nuclear Fuel Disposal Trust Fund (to the standard permitted by the Federal Energy Regulatory Commission for decommissioning trust funds) to allow a greater return on investment of those funds and a corresponding reduction in the amount ratepayers will be charged for disposal of spent fuel. It also permits the Maine Yankee Nuclear Power Company to offset past and future costs of storage (whether on-site or not) with funds that were collected and set aside for payment to the United States Department of Energy for disposal of spent fuel waste. It also transfers to the Maine Yankee Decommissioning Trust Fund funds collected for the disposal of low-level radioactive waste.

LD 1423

An Act to Revise the Staffing and Resources of the Office of Public Advocate

PUBLIC 259

<u>Sponsor(s)</u> DAVIDSON	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-196
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LD 1423 proposed to increase the pay scales for existing positions within the Office of the Public Advocate and create three new positions within that office: a Clerk Typist III, an Economic Analyst and a Research Assistant position. The bill also proposed to establish six positions within the Office of the Public Advocate as major policy-influencing positions and designate them as confidential employees. It also proposed to extend to the Public Advocate the power to obtain information regarding the business of all public utilities, a power that is currently held by the Public Utilities Commission. This bill was submitted on behalf of the Office of the Public Advocate.

Committee Amendment "A" (H-196):

1. Proposed to strike those portions of the bill granting the Public Advocate certain new authorities to compel utilities to provide information to the Public Advocate;
2. Proposed to strike that portion of the bill that designated six positions in the Office of the Public Advocate as major policy-influencing positions;
3. Proposed to add a provision establishing titles and salary ranges for six positions in the Office of the Public Advocate;
5. Proposed to correct the allocation section of the bill to reflect the actual costs of funding the expansion of the Office of the Public Advocate.

Enacted law summary

Public Law 1999, chapter 259 adds three positions to the Office of the Public Advocate, increasing the Public Advocate's staff from six to nine positions. It also reclassifies the positions and increases the salary of the existing six employees of the Office of the Public Advocate and establishes their salary ranges in law. It also establishes in law the salary ranges of two of the three new positions.

LD 1430 An Act to Ensure the Protection of Ratepayers' Interests in the New England Power Pool ONTP

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

LD 1430 proposed to create two full-time positions at the Public Utilities Commission for the purpose of monitoring and participating in the New England Power Pool committee process and in proceedings before the Federal Energy Regulatory Commission.

LD 1456 An Act to Establish the Northern Maine Transmission Corporation PUBLIC 513

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
O'NEAL	OTP-AM	H-617 S-424 MICHAUD

LD 1456 proposed to establish a Northern Maine Transmission Corporation to finance, permit, construct own and operate any transmission lines necessary to connect northern Maine's electric utilities with the transmission grid of the United States.

Committee Amendment "A" (H-617) proposed to replace the bill. The amendment proposed the following:

1. To establish a Northern Maine Transmission Corporation as a special purpose, tax-exempt, body politic and body corporate, public instrumentality of the State and subsidiary of the Finance Authority of Maine;
2. To authorize the Northern Maine Transmission Corporation to finance, permit, construct own and operate any transmission lines necessary to connect northern Maine's electric utilities with the transmission grid of the United States;
3. To authorize the Finance Authority of Maine to issue up to \$35,000,000 in bonds, backed by the moral obligation of the State of Maine, to finance the construction of transmission lines necessary to connect northern Maine's electric utilities with the transmission grid of the United States;