

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

Rep. Thomas M. Davidson, Chair

Rep. Patrick Colwell

Rep. Charles C. LaVerdiere

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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).

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.

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;

4. To authorize the Northern Maine Transmission Corporation to cooperate with private and public entities as desirable or convenient to accomplish the construction of transmission lines necessary to connect northern Maine's electric utilities with the transmission grid of the United States;
5. To authorize the Northern Maine Transmission Corporation to request and receive proposals from public and private entities 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;
6. To prohibit customers of electric utilities to bypass the systems of the those utilities through lines constructed by the Northern Maine Transmission Corporation;
7. To provide a \$500,000 appropriation to fund a feasibility study by the Northern Maine Transmission Corporation of the options for building transmission lines necessary to connect northern Maine's electric utilities with the transmission grid of the United States; and
8. To grant to the Northern Maine Transmission Corporation the general powers provided to a business corporation by the Maine Non-profit Corporation Act, Title 13-B.

Senate Amendment "A" (S-424) proposed to reduce the appropriation to fund the feasibility study from \$500,000 to \$250,000 and to authorize the transfer of \$150,000 funds from certain lapsed balances to fund the study.

Enacted law summary

Public Law 1999, chapter 513:

1. Establishes 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. Authorizes 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. Authorizes 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;
4. Authorizes the Northern Maine Transmission Corporation to cooperate with private and public entities as desirable or convenient to accomplish the construction of transmission lines necessary to connect northern Maine's electric utilities with the transmission grid of the United States;
5. Authorizes the Northern Maine Transmission Corporation to request and receive proposals from public and private entities 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;
6. Prohibits customers of electric utilities to bypass the systems of the those utilities through lines constructed by the Northern Maine Transmission Corporation;
7. Provides a \$250,000 appropriation to fund a feasibility study by the Northern Maine Transmission Corporation of the options for building transmission lines necessary to connect northern Maine's electric utilities with the transmission grid of the United States and authorizes the transfer of \$150,000 funds from certain lapsed balances to fund the study; and

8. Grants to the Northern Maine Transmission Corporation the general powers provided to a business corporation by the Maine Non-profit Corporation Act, Title 13-B.

LD 1464 **An Act to Amend the No Trespassing Zone Around the Water Intake Pipes of the Portland Water District** **CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CLOUGH RAND		

LD 1464 proposes to change the way that the restricted area around the Portland Water District's intake pipes in Sebago Lake is measured. The bill proposes to provide that the restricted area would be measured from the intake pipes themselves instead of from a point on the shore. This bill and LD 1810 were held over to allow the district, the Town of Standish and State agencies to work together to find a mutually acceptable approach to the issues raised by the bills.

LD 1480 **An Act Relating to Electric Utility Rate Design** **ONTP**

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

LD 1480 proposed to require the Public Utilities Commission to develop electric utility rates in a manner that does not discriminate between classes of customers.

LD 1481 **An Act to Increase the Contingency Reserve Fund Percentage for Consumer-owned Electric Utilities** **PUBLIC 102**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KONTOS	OTP	

LD 1481 proposed to increase the contingency reserve fund percentage for consumer-owned electric utilities.

Enacted law summary

Public Law 1999, chapter 102 increases the contingency reserve fund percentage for consumer-owned electric utilities. After March 1, 2000, electric utilities will no longer have power supply costs included as part of their operating costs, thus reducing the base amount on which the percentage is applied. This law increases the allowed percentage from 5% to 25% which will allow consumer-owned electric utilities to collect the same amount for the contingency reserve fund as is currently collected.