

# 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*

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*Rep. Donald P. Berry, Sr.*

*Rep. Harry G. True*

*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.

**LD 1496**

**An Act to Amend the Charter of the Kennebunk Sewer District**

**P & S 11  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MURPHY T LAFOUNTAIN	OTP	

LD 1496 proposed to amend the Charter of the Kennebunk Sewer District by amending the district's boundaries to make them identical to the boundaries of the Town of Kennebunk.

*Enacted law summary*

Private and Special Law 1999, chapter 11 amends the Charter of the Kennebunk Sewer District by amending the district's boundaries to make them identical to the boundaries of the Town of Kennebunk. This change is subject to approval in a local referendum.

Chapter 11 was enacted as an emergency measure effective May 10, 1999.

**LD 1500**

**An Act to Provide Assistance to Low-income Energy Consumers**

**CARRIED OVER**

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

LD 1500 proposes to establish a trust fund to finance a state-wide low-income assistance program using corporate income taxes derived from the sale of electric utility generation assets. This bill was carried over to the Second Regular Session after being recommitted to committee.

**Committee Amendment "A" (H-618)** proposed the following changes to the bill:

1. To provide for a transfer of funds from the General Fund to the Low-income Electric Trust Fund equal to the amount of transfer taxes that will be deposited in the General Fund as a result of sales or transfers of generation assets required to be divested pursuant to the electric restructuring law;
2. To provide that the low-income program funded by the Low-income Electric Trust Fund would become active on March 1, 2002; until that date existing utility-administered programs would remain in place;
3. To direct consumer-owned electric utilities to develop and implement programs to provide assistance to low-income consumers between March 1, 2000 and March 1, 2002; and
4. To provide that the Low-income Electric Trust Fund be administered to provide for a fixed percentage withdrawal of not less than 4% of the total value of the fund;

**House Amendment "A" (H-692)** proposed to replace committee amendment "A" and the bill. It proposed to use corporate income taxes attributable to the gain on the sale or transfer of generation assets divested after May 21, 1999 (i.e., the sale or transfer of generation assets by Bangor Hydro-Electric and Maine Public Service) to fund weatherization, energy conservation and fuel assistance for persons of low-income.

**Senate Amendment "A" to Committee Amendment "A" (S-338)** proposed to amend Committee Amendment "A" to reduce the amount of corporate income taxes attributable to the net gain on the sale or transfer of generation assets

required to be divested by electric utilities that are transferred to the Low-income Electric Consumer Trust Fund. Under this amendment, only taxes attributable to transfers on sales made after May 21, 1999 would be transferred to the fund.

**Senate Amendment "A" to House Amendment "A" (S-354)** proposed to amend House Amendment "A" to specify that funds in the Maine Low-income Energy Assistance Fund may be used for appliance replacement but not for fuel assistance.

**LD 1505**                      **An Act to Require Performance-based Restoration by Public Utilities**                      **ONTP**

<u>Sponsor(s)</u> O'GARA WHEELER G		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1505 proposed to require that, if a public utility elects to relay excavated pavement, the public ways must be properly restored and maintained following construction by public utilities. The bill proposed to require utilities to perform all restoration in a manner that ensures that the repaired area is restored to as good a condition as the area was in before excavation and to maintain the excavated area for the useful life of the street. The issues raised by this bill were dealt with in LD 1207, which was handled by the Transportation Committee.

**LD 1532**                      **An Act Concerning Liens Held by the Freeport Sewer District**                      **P & S 14**

<u>Sponsor(s)</u> BULL		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-210
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LD 1532 proposed to update administrative provisions of the Freeport Sewer District's lien authority. It also proposed to authorize the district, as part of its sewer lien procedure, to send affected parties a second notice of sewer liens and impending foreclosure before the date of forfeiture.

**Committee Amendment "A" (H-210)** proposed to make a technical change to the bill.

*Enacted law summary*

Private and Special Law 1999, chapter 14 updates the administrative provisions of the Freeport Sewer District's lien authority. It also authorizes the district, as part of its sewer lien procedure, to send affected parties a second notice of sewer liens and impending foreclosure before the date of forfeiture.

**LD 1563**                      **An Act to Implement the Recommendations of the Commission to Study the Funding and Distribution of Teletypewriters and Other Telecommunications Equipment for People with Disabilities**                      **PUBLIC 227**

<u>Sponsor(s)</u>		<u>Committee Report</u> OTP		<u>Amendments Adopted</u>
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LD 1563 proposed to implement the recommendations of the Commission to Study the Funding and Distribution of Teletypewriters and Other Telecommunications Equipment for People With Disabilities. The bill proposed to establish