

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
ONT P.....	Ought Not To Pass report accepted
OT P ND.....	Committee report Ought To Pass In New Draft
OT P 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 1683**Resolve, Regarding Legislative Review of Chapter 307: Sale of Capacity and Energy of Undivested Generation Assets, Extension of Divestiture Deadline, a Major Substantive Rule of the Public Utilities Commission****RESOLVE 38
EMERGENCY**Sponsor(s)Committee Report
OTP-AMAmendments Adopted
H-332

LD 1683 proposed legislative approval of Chapter 307: Sale of Capacity and Energy of Undivested Generation Assets, Extension of Divestiture Deadline, a major substantive rule of the Public Utilities Commission.

Committee Amendment "A" (H-332) proposed to authorize the Public Utilities Commission to finally adopted its rule, Chapter 307: Sale of Capacity and Energy of Undivested Generation Assets, Extension of Divestiture Deadline, only if the rule is amended in several relatively minor ways.

Enacted law summary

Resolve 1999, chapter 38 authorizes the Public Utilities Commission to finally adopted its rule, Chapter 307: Sale of Capacity and Energy of Undivested Generation Assets, Extension of Divestiture Deadline, only if the rule is amended as follows:

1. to provide that a purchaser of capacity and energy has no recourse against a utility in the event the owner or operator of the generation asset does not provide the expected amount of capacity or energy or otherwise defaults;
2. to define the on-peak period as Monday through Friday from 7 a.m. to 11 p.m., except for holidays recognized by the New England independent system operator or the equivalent entity in the Maritimes Control Area; and
3. to provide that a utility, to the extent it has actual knowledge at the time it issues a request for bids, provides for each facility whose output is subject to the bidding requirements a description of any contractual provision or other factor that will have the effect of substantially changing the amount of output of a facility during the bid period and a description of any subsequent divestiture that may apply during the bid period.

Chapter 38 was enacted as an emergency measure effective May 18, 1999.

LD 1684**Resolve, Regarding Legislative Review of Chapter 306: Uniform Disclosure and Informational Filing Requirements, a Major Substantive Rule of the Public Utilities Commission****RESOLVE 34
EMERGENCY**Sponsor(s)Committee Report
OTP-AMAmendments Adopted
H-243

LD 1684 proposed legislative approval of Chapter 306: Uniform Disclosure and Informational Filing Requirements, a major substantive rule of the Public Utilities Commission.

Committee Amendment "A" (H-243) proposed approval of the Public Utilities Commission's provisionally adopted rule, Chapter 306: Uniform Disclosure and Informational Filing Requirements, if the rule were changed to provide that the disclosure label be provided to customers on a quarterly basis.

Enacted law summary

Resolve 1999, chapter 34 approves the Public Utilities Commission's provisionally adopted rule, Chapter 306: Uniform Disclosure and Informational Filing Requirements, if the rule is changed to provide that the disclosure label be provided to customers on a quarterly basis.

Chapter 34 was enacted as an emergency measure effective May 18, 1999.

LD 1695

An Act to Provide Immunity to Enhanced 9-1-1 Developers and Providers

PUBLIC 209

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
COLWELL	OTP-AM	H-253

LD 1695 proposed to provide tort liability immunity to local exchange companies and their personnel assisting in developing, establishing, implementing, maintaining or operating the E-9-1-1 system.

Committee Amendment "A" (H-253) proposed to replace the bill. The amendment proposed to limit the tort liability of a local exchange carrier or mobile radio carrier for its negligent acts and omissions resulting in a defect or failure of the E-9-1-1 system to \$300,000 or any greater amount that may be specified in the Maine Tort Claims Act.

Enacted law summary

Public Law 1999, chapter 209 limits the tort liability of a local exchange carrier or mobile radio carrier for its negligent acts and omissions resulting in a defect or failure of the E-9-1-1 system to \$300,000 or any greater amount that may be specified in the Maine Tort Claims Act. There is no limitation on the amount of liability for intentional, willful or reckless acts and omissions.

LD 1723

An Act to Amend the Charter of the East Pittston Water District

P & S 18

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KILKELLY COWGER	OTP-AM	S-110

LD 1723 proposed to amend the charter of the East Pittston Water District to clarify that a trustee of the district must reside in a household to which the district's service is provided and to limit who is a qualified legal voter within the East Pittston Water District.

Committee Amendment "A" (S-110) proposed to correct a statutory reference and remove the provision of the bill that proposed to limit who qualified as a legal voter within the East Pittston Water District.

Enacted law summary

Private and Special Law 1999, chapter 18 amends the charter of the East Pittston Water District to clarify that a trustee of the district must reside in a household to which the district's service is provided.