

MAINE STATE LEGISLATURE

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**STATE OF MAINE
119TH LEGISLATURE**

SECOND REGULAR SESSION

**BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
UTILITIES AND ENERGY**

JULY 2000

MEMBERS:

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Sen. Carol A. Kontos

Sen. Betty Lou Mitchell

Rep. Thomas M. Davidson, Chair

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Staff:

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ONE HUNDRED NINETEENTH LEGISLATURE
SECOND REGULAR SESSION

Summary Of Legislation Before The Joint Standing Committees
July 2000

We are pleased to provide this summary of 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:

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
FAILED EMERGENCY ENACTMENT/FINAL PASSAGE..... Emergency bill failed to get 2/3 vote
FAILED ENACTMENT/FINAL PASSAGE..... Bill failed to get majority vote
FAILED MANDATE ENACTMENT..... Bill imposing local mandate failed to get 2/3 vote
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 Second Regular Session (unless otherwise specified in a particular law) is August 11, 2000.

David E. Boulter, Director
Offices Located in the State House, Rooms 101 & 107

Enacted law summary

Public Law 1999, chapter 664 authorizes the Public Utilities Commission to approve discount rates for low-income natural gas customers who are certified eligible for welfare assistance.

LD 2282 An Act to Clarify the Treatment of Certain Small Consumer-owned Transmission and Distribution Utilities ONTP

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

LD 2282 proposed to direct the Public Utilities Commission, on the request of a small consumer-owned transmission and distribution utility, to exempt the utility from most provisions of Title 35-A. Current law authorizes the commission to grant such exemptions. The Isle au Haut Electric Power Company ("IAH") had filed and failed to obtain resolution of such a request with the commission. The committee, while voting to kill the bill, sent a letter to the commission requesting that the commission move forward on that case.

LD 2288 An Act to Eliminate Regulation of Public Heating Utilities PUBLIC 579

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

LD 2288 proposed to remove the term "public heating utility" from the definition of "public utility" in the laws governing public utilities, thereby eliminating regulation of these entities by the Public Utilities Commission.

Enacted law summary

Public Law 1999, chapter 579 removes the term "public heating utility" from the definition of "public utility" in the laws governing public utilities, thereby eliminating regulation of these entities by the Public Utilities Commission.

**LD 2289 An Act to Provide Standard-offer Service to Certain Customers PUBLIC 578
EMERGENCY**

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

LD 2289 proposed to allow the Public Utilities Commission to require that transmission and distribution utilities take the necessary steps to secure electricity for some 40 customers that are not physically connected to a bulk power system in the State.

Enacted law summary

Public Law 1999, chapter 578 allows the Public Utilities Commission to require that transmission and distribution utilities take the necessary steps to secure electricity (default standard offer service) for some 40 customers that are not physically connected to a bulk power system in the State.

Public Law 1999, chapter 578 was enacted as an emergency measure effective March 22, 2000.

LD 2294

An Act to Promote Competition in the Natural Gas Industry

PUBLIC 605

<u>Sponsor(s)</u> CAREY		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> S-528
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LD 2294 proposed to authorize gas utilities to exercise the power of eminent domain in the same manner and under the same conditions as natural gas pipeline utilities.

Committee Amendment "A" (S-528) proposed to replace the bill and to:

1. Repeal the eminent domain provisions governing natural gas pipeline utilities;
2. Grant eminent domain authority to natural gas utilities, which are defined as intrastate natural gas pipeline utilities and gas utilities other than gas utilities over which the commission's jurisdiction is limited to safety issues;
3. Establish certain conditions and standards for and limitations on the exercise of eminent domain authority, most of which reflect those that currently govern eminent domain authority exercised by natural gas pipeline utilities;
4. Require that the utility have received appropriate authorizations from the Public Utilities Commission with respect to the proposed pipeline prior to seeking to exercise eminent domain authority;
5. Provide that the commission must approve the location of any taking and find that the taking is necessary and in the public interest;
6. Require the commission to issue its written decision within certain time limits; and
7. To provide for an effective date of 90 days after adjournment or August 1, 2000, whichever is later.

Enacted law summary

Public Law 1999, chapter 605 repeals the eminent domain provisions governing natural gas pipeline utilities and grants eminent domain authority, with certain conditions and limitations, to intrastate natural