

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

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Sen. Carol A. Kontos

Sen. Betty Lou Mitchell

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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

Sponsor(s)Committee Report
OTP-AMAmendments Adopted
H-935

LD 2508, which was reported by the Joint Standing Committee on Utilities and Energy pursuant to Public Law 1997, chapter 316, section 12, proposed to bring various provisions of law into conformity with changes made by electric industry restructuring. Specifically, the bill proposed:

1. to delete an obsolete reference to "electric public utility" in the Maine Revised Statutes, Title 5 in a provision concerning the use of certain fuels in state facilities;
2. to change a reference to "electric utility" to "transmission and distribution utility" in a provision of law concerning the electric rate stabilization program;
3. to delete an obsolete provision concerning sales of electricity to an "electric public utility" in a provision of law concerning revenue obligation programs administered by the Finance Authority of Maine;
4. to change a reference to "electric utility" to "transmission and distribution utility" in a provision of law concerning building standards;
5. to change a reference to "public service corporation" to "public utility" in a provision of law concerning zoning by the Maine Land Use Regulation Commission;
6. to update a provision of law concerning the provision of estimates of electric consumption and cost by an "electric utility";
7. to clarify that the Sunday closure law does not apply to competitive electricity providers;
8. to include theft of the services of competitive electricity providers in the criminal code provisions regarding theft of utility services;
9. to modify provisions relating to the determination of vocational education tuition services to maintain the inclusion of electricity costs;
10. to change a reference to "electric utility" to "transmission and distribution utility" in a provision of law relating to municipal self-funded pools;
11. to change several references to "utility corporation" to "public utility" in provisions of law relating to electrical inspections;
12. to change a provision relating to unclaimed deposits or refunds owed by a public utility to include those owed by a competitive electricity provider;
13. to change a reference to "electric utility" to "transmission and distribution utility" in a provision of law relating to the sales tax exemption for residential electric use;

14. to strike a provision providing special air emissions fees for generators owned by electric utilities;
15. to change a reference to "electric utility" to "transmission and distribution utility" in a provision concerning Public Utilities Commission approval requirements for site location of development permits and to delete a reference to "electric utility generation facilities";
16. to delete a provision providing special low sulfur fuel use standards for facilities owned by regulated electric utilities;
17. to change references to "electric utility" to "transmission and distribution utility" in provisions of law relating to investments of public waste disposal corporations; and
18. to change a reference to "electric utility" to "transmission and distribution utility" in a provision of law relating to revenues of incineration facilities.

Committee Amendment "A" (H-935) proposed:

1. to modify the provision of the bill concerning theft of utility services to make it clear that competitive service providers are not public utilities;
2. to clarify the wording in a provision of the bill regarding investments of public waste disposal corporations;
3. to modify the electric industry restructuring law provisions regarding consumer protection by establishing certain protections that apply to all consumers; to modify existing consumer protections provisions so that instead of applying to customers with a demand lower than 100 kilowatts they apply to residential and small commercial consumers; to specify that the Public Utilities Commission must resolve disputes between competitive electricity providers and consumers concerning any consumer protections established by law or by the commission by rule; and to direct the Public Utilities Commission to modify certain rules to make them consistent with these changes; and
4. to change the emergency clause to make the bill effective immediately upon approval.

Enacted law summary

Public Law 1999, chapter 657 brings various provisions of law into conformity with changes made by electric industry restructuring. It also modifies the electric industry restructuring law provisions regarding consumer protection by establishing certain protections that apply to all consumers; modifies existing consumer protections provisions so that instead of applying to customers with a demand lower than 100 kilowatts they apply to residential and small commercial consumers; and specifies that the Public Utilities Commission must resolve disputes between competitive electricity providers and consumers concerning any consumer protections established by law or by the commission by rule.

Public Law 1999, chapter 657 was enacted as an emergency measure effective April 10, 2000.