

MAINE STATE LEGISLATURE

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*State Of Maine
120th Legislature*

First Regular Session

Bill Summaries

*Joint Standing Committee
on
Utilities and Energy*

August 2001

Members:

*Sen. Norman K. Ferguson, Chair
Sen. Sharon Anglin Treat
Sen. David L. Carpenter*

*Rep. William R. Savage, Chair
Rep. Monica McGlocklin
Rep. Albion D. Goodwin*

Rep. Lawrence Bliss

Rep. Christopher G. L. Hall

Rep. Peter L. Rines

Rep. Donald P. Berry, Sr.

Rep. Richard H. Duncan

Rep. Royce W. Perkins

Rep. Richard A. Crabtree

Staff:

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Maine State Legislature
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120th Legislature
First Regular Session

Summary Of Legislation Before The Joint Standing Committees
August 2001

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing 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 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*
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 First Regular Session (unless otherwise specified in a particular law) is **September 21, 2001**.

David E. Boulter, Director
 Offices Located in the State House, Rooms 101/107/135

Joint Standing Committee on Utilities and Energy

Enacted law summary

Public Law 2001, chapter 136 authorizes the Public Utilities Commission to release funds designated for salaries and use them for other commission expenses and to make all funds that were budgeted but unused in fiscal year 2000-01 available for use in the subsequent 2 fiscal years. The law also increases the public utilities assessment for fiscal years 2001-02 and 2002-03.

This law was enacted as an emergency measure effective on May 14, 2001.

LD 1322

An Act to Increase the Borrowing Capacity of the Topsham Sewer District

**P & S 20
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LESSARD SMALL	OTP-AM	H-228

LD 1322 proposed to increase the borrowing capacity of the Topsham Sewer District from \$1,000,000 to \$2,000,000.

Committee Amendment "A" (H-228) proposed to:

1. Remove obsolete language from the Topsham Sewer District charter;
2. Remove language from the Topsham Sewer District charter relating to approval in a municipal town meeting of the issuance of debt by the district in excess of the debt limit;
3. Insert a new provision in the charter allowing the district through a local referendum process to increase its debt limit; and
4. Make the bill subject to local referendum approval.

Enacted law summary

Private and Special Law 2001, chapter 20:

1. Increases the borrowing capacity of the Topsham Sewer District from \$1,000,000 to \$2,000,000;
2. Removes obsolete language from the Topsham Sewer District charter;
3. Removes language from the Topsham Sewer District charter relating to approval in a municipal town meeting of the issuance of debt by the district in excess of the debt limit;

Joint Standing Committee on Utilities and Energy

4. Inserts a new provision in the charter allowing the district through a local referendum process to increase its debt limit; and
5. Makes the law subject to local referendum approval.

This law was enacted as an emergency measure effective on May 15, 2001.

LD 1333

An Act to Permit Consumer-owned Water Utilities to Exercise Local Control Regarding Matters within the Jurisdiction of the Public Utilities Commission

DIED BETWEEN BODIES

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAVAGE W DAGGETT	OTP-AM MAJ ONTP MIN	

LD 1333 proposed to permit consumer-owned water utilities to exercise local control by opting out of regulation by the Public Utilities Commission with respect to their rates, terms of service and business affairs.

Committee Amendment "A" (H-307) proposed to clarify certain portions of the bill and make clear the rights of action and appeal that are available with respect to actions or failures of action by a locally governed water district. This amendment also proposed to replace that portion of the bill that made the election of a consumer-owned water district to become a locally governed water district subject to approval by a majority of the municipalities within the district. Under this amendment, the election would be subject to referendum approval by the voters within the district. This amendment also proposed to provide that a locally governed water district must allocate as a percentage of gross revenue its charges for water service for fire protection according to the provisions of commission rules governing such cost allocation for consumer-owned water utilities, or, if no rules exist, based on the results of a full allocation study of the district's system.

LD 1385

An Act to Amend the Laws Regarding When the Public Utilities Commission Must Give Notice of its Proceedings

ONTP

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

LD 1385 proposed to remove the requirement that the Public Utilities Commission give notice of any public proceeding at which the commission could adopt a position that it would take in a federal proceeding.