

MAINE STATE LEGISLATURE

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L.D. 1720

DATE: 2/24/94

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UTILITIES

Reported by: Senator Vose of Washington

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**STATE OF MAINE
SENATE
116TH LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT "A" to S.P. 618, L.D. 1720, Bill, "An Act to Encourage Innovation and Competitiveness by Electric Utilities"

Amend the bill by striking out everything after the enacting clause and before the statement of fact and inserting in its place the following:

'Sec. 1. 35-A MRSA §1311-A is enacted to read:

§1311-A. Protective orders; confidential information

Records placed under a protective order by the commission pursuant to the Maine Rules of Civil Procedure, Rule 26 (c) are within the scope of a privilege against discovery within the meaning of Title 1, section 402, subsection 3, paragraph B and are not public records while under the protective order.

FISCAL NOTE

The Public Utilities Commission will incur some minor additional costs to keep certain information submitted by electric utilities confidential. These costs can be absorbed within the commission's existing budgeted resources.'

COMMITTEE AMENDMENT

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STATEMENT OF FACT

This amendment strikes and replaces the bill. The amendment clarifies any ambiguity with regard to whether records placed under protective orders are public records within the meaning of the freedom of access laws. The amendment clarifies that information placed under protective order by the Public Utilities Commission falls within the existing exception to the definition of public records under the freedom of access laws. The amendment also adds a fiscal note to the bill.