

MAINE STATE LEGISLATURE

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124th MAINE LEGISLATURE

FIRST REGULAR SESSION-2009

Legislative Document

No. 717

H.P. 500

House of Representatives, February 24, 2009

An Act To Ensure Proper Oversight of Propane Facilities

Reference to the Committee on Utilities and Energy suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative FITTS of Pittsfield.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 32 MRSA §14804, sub-§9** is enacted to read:

3 **9. Safety jurisdiction over certain propane facilities.** The board has jurisdiction
4 over a propane gas system with respect to safety if:

5 **A. The propane gas system serves 10 or more customers;**

6 **B. More than one customer and any portion of the propane gas system is located in a**
7 **public place; or**

8 **C. One customer and a portion of the propane gas system is located off the**
9 **customer's premises in a public place.**

10 **Sec. 2. 35-A MRSA §102, sub-§8,** as amended by PL 1999, c. 718, §14, is
11 further amended to read:

12 **8. Gas utility.** "Gas utility" includes every person, that person's lessees, trustees,
13 receivers or trustees appointed by any court owning, controlling, operating or managing
14 any natural or liquid natural gas plant for compensation within this State, except when
15 gas is made or produced on and distributed by the maker or producer through private
16 property alone solely for its own tenants and not for sale to others, or when the gas is sold
17 solely for use in vehicles fueled by natural gas or to a liquid natural gas system that
18 serves fewer than 10 customers as long as no portion of the liquid natural gas system is
19 located in a public place or that serves a single customer if the liquid natural gas system is
20 located entirely on the customer's premises. "Gas utility" does not include a gas marketer
21 whose business in the State is restricted to selling natural gas to retail consumers and who
22 does not provide natural gas transmission or distribution service.

23 **Sec. 3. 35-A MRSA §102, sub-§9,** as enacted by PL 1987, c. 141, Pt. A, §6, is
24 amended to read:

25 **9. Gas plant.** "Gas plant" includes all real estate, fixtures and personal property
26 owned, controlled, operated or managed in connection with or to facilitate the production,
27 generation, transmission, delivery or furnishing of natural gas or liquid natural gas for
28 light, heat or power.

29 **Sec. 4. 35-A MRSA §102, sub-§9-B** is enacted to read:

30 **9-B. Natural gas.** "Natural gas" has the same meaning as defined in Title 32,
31 section 14802, subsection 8.

32 **SUMMARY**

33 This bill removes the oversight of certain propane facilities from the Public Utilities
34 Commission and places the oversight under the jurisdiction of the Propane and Natural
35 Gas Board.