

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND TWENTIETH LEGISLATURE
FIRST REGULAR SESSION
December 6, 2000 to June 22, 2001

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 21, 2001

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

J.S. McCarthy Company
Augusta, Maine
2001

2. Standards for private lines. The commission shall by rule establish standards for the construction of a line by a person other than a transmission and distribution utility. The rules:

A. Must establish standards for the construction of lines. The commission may establish different standards in different transmission and distribution utility territories. The standards must be the same as the standards that would apply if the transmission and distribution utility in whose territory the line is constructed built the line unless there are compelling public safety reasons for applying different standards. If these standards and any other reasonable conditions established by the commission are met, a transmission and distribution utility may not refuse to connect the line to the utility's system or to deliver energy over the line;

B. Must establish terms and conditions for transferring the ownership of a line to a transmission and distribution utility. The rules may establish a requirement that certain types of lines, lines under certain conditions, or lines in certain locations, such as lines located in the public way, must be transferred to the transmission and distribution utility; and

C. May require that a person that is not a transmission and distribution utility that constructs a line meet minimum qualifications established or approved by the commission.

3. Apportionment of costs of line extensions. The commission shall adopt rules establishing requirements for apportioning the costs of a single-phase overhead line extension among persons who take service through the line after the construction of the line. The commission may provide for exemptions from the apportionment methodology established by the commission for any transmission and distribution utility that petitions the commission for an exemption and establishes to the satisfaction of the commission that the transmission and distribution utility's apportionment methodology adequately serves the public interest and balances competing interests of customers.

4. Lines constructed in the public way. Nothing in this section or rules adopted under this section limits the application of section 2305 to any line constructed in a public way.

5. Submission of rules. Rules adopted pursuant to this section are major substantive rules as defined in Title 5, chapter 375, subchapter II-A and must be submitted to the Legislature for review no later than February 1, 2002.

Sec. 2. Public Utilities Commission examination of minimum qualifications of line

constructors. The Public Utilities Commission shall examine whether minimum qualifications should be established for persons who construct private line extensions and if so, how the qualifications should be established and what mechanisms are most appropriate for ensuring the qualifications are met. The commission shall, with any rules submitted to the Legislature pursuant to the Maine Revised Statutes, Title 35-A, section 314, submit a report to the Joint Standing Committee on Utilities and Energy on the commission's findings and recommendations under this section.

See title page for effective date.

CHAPTER 202

S.P. 375 - L.D. 1213

An Act to Amend the Hunting Laws Relating to Blaze Orange

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

Sec. 1. 12 MRSA §7406, sub-§12, as repealed and replaced by PL 1991, c. 824, Pt. A, §21, is amended to read:

12. Hunting without hunter orange clothing. A person is guilty of hunting without hunter orange clothing if that person hunts with firearms during the open firearm season on deer and fails to wear 2 articles of ~~solid-colored~~ hunter orange clothing that are in good, serviceable condition and visible from all sides, except that persons hunting waterfowl from a boat or blind or in conjunction with waterfowl decoys need not wear hunter orange clothing. One article of clothing must be a solid-colored hunter orange hat. The other article of clothing must cover a major portion of the torso, such as a jacket, vest, coat or poncho, and must be a minimum of 50% hunter orange in color. The presence of a decal on an article of clothing that is otherwise solid-colored hunter orange does not disqualify that article of clothing from satisfying the requirements of this subsection.

See title page for effective date.

CHAPTER 203

S.P. 489 - L.D. 1578

An Act to Clarify the Laws Governing Employment by the State

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