

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

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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

LD 930

An Act Authorizing the Public Utilities Commission to Award Restitution to Customers Damaged by Inferior Utility Service

ONTP

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

LD 930 proposed to authorize the Public Utilities Commission to order restitution up to the level possible in Small Claims Court to customers who sustain damages resulting from utility service.

Committee Amendment "A" (H-402) was the minority report of the Committee. The amendment proposed to replace the bill and to change the title to reflect the content of the amendment. This amendment proposed to authorize the commission to investigate a complaint regarding damages caused by an unreasonable utility practice. The amendment also proposed to establish a mediation program at the commission to assist customers in resolving such complaints.

LD 931

An Act to Provide for the Security of Certain Utility Information

**PUBLIC 135
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAVAGE W	OTP-AM	H-130

LD 931 proposed to allow the Public Utilities Commission to designate as confidential information certain information about public utility operations and facilities and to share that information with state agencies such as the Maine Emergency Management Agency in the Department of Defense, Veterans and Emergency Management, the Department of Public Safety and the State Planning Office.

Committee Amendment "A" (H-130) proposed to replace the bill. This amendment proposed:

1. To authorize the Public Utilities Commission to issue an order designating certain information confidential if the release of the information could compromise the security of a utility to the detriment of the public interest;
2. To allow access to the information by discovery in the context of commission proceedings but to allow the commission to limit discovery if necessary to protect the public interest;
3. To allow the commission to release or direct the release of the information to other state agencies for public health and safety purposes but to require notice to the affected utility; and
4. To allow agencies receiving the information to release the information to others but requires notice, through the commission, to the utility, except in emergency situations;

Joint Standing Committee on Utilities and Energy

Enacted law summary

Public Law 2001, chapter 135:

1. Authorizes the Public Utilities Commission to issue an order designating certain information confidential if the release of the information could compromise the security of a utility to the detriment of the public interest;
2. Allows access to the information by discovery in the context of commission proceedings but allows the commission to limit discovery if necessary to protect the public interest;
3. Allows the commission to release or direct the release of the information to other state agencies for public health and safety purposes but requires notice first to the affected utility; and
4. Allows agencies receiving the information to release the information to others but requires notice, through the commission, to the utility, except in emergency situations.

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

LD 934 **An Act to Allow Timely Public Comment on Matters Heard Before Sanitary Districts** **ONTP**

<u>Sponsor(s)</u> RAND		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 934 proposed to require a sewer district or a sanitary district to provide an opportunity for the public to comment before the board of trustees takes a final vote on important matters affecting the users of the district.

LD 959 **An Act to Change the Assessment for Sprinkler Systems to a Per-use basis** **ONTP**

<u>Sponsor(s)</u> MICHAEL		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 959 proposed to provide that beginning January 1, 2002, the charge a water utility collects from a customer for water service to support the operation of a private fire protection system be based on actual metered water use and not potential use.