

MAINE STATE LEGISLATURE

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*State Of Maine
120th Legislature*

Second Regular Session

Bill Summaries

*Joint Standing Committee
on
Utilities and Energy*

May 2002

Members:

*Sen. Norman K. Ferguson, Jr., 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
Second Regular Session

Summary Of Legislation Before The Joint Standing Committees
May 2002

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 arranged alphabetically by committee name 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:

<i>CON RES XXX</i>	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>CONF CMTE UNABLE TO AGREE</i>	<i>Committee of Conference unable to agree; bill died</i>
<i>DIED BETWEEN BODIES</i>	<i>House & Senate disagree; bill died</i>
<i>DIED IN CONCURRENCE</i>	<i>One body accepts ONTP report; the other indefinitely postpones the bill</i>
<i>DIED ON ADJOURNMENT</i>	<i>Action incomplete when session ended; bill died</i>
<i>EMERGENCY</i>	<i>Enacted law takes effect sooner than 90 days</i>
<i>FAILED EMERGENCY ENACTMENT/FINAL PASSAGE</i>	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED ENACTMENT/FINAL PASSAGE</i>	<i>Bill failed to get majority vote</i>
<i>FAILED MANDATE ENACTMENT</i>	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>NOT PROPERLY BEFORE THE BODY</i>	<i>Ruled out of order by the presiding officers; bill died</i>
<i>INDEF PP</i>	<i>Bill Indefinitely Postponed</i>
<i>ONTP</i>	<i>Ought Not To Pass report accepted</i>
<i>OTP ND</i>	<i>Committee report Ought To Pass In New Draft</i>
<i>OTP ND/NT</i>	<i>Committee report Ought To Pass In New Draft/New Title</i>
<i>P&S XXX</i>	<i>Chapter # of enacted Private & Special Law</i>
<i>PASSED</i>	<i>Joint Order passed in both bodies</i>
<i>PUBLIC XXX</i>	<i>Chapter # of enacted Public Law</i>
<i>RESOLVE XXX</i>	<i>Chapter # of finally passed Resolve</i>
<i>UNSIGNED</i>	<i>Bill held by Governor</i>
<i>VETO SUSTAINED</i>	<i>Legislature failed to override Governor's Veto</i>

Please note the effective date for all non-emergency legislation enacted in the Second Regular Session (unless otherwise specified in a particular law) is July 25, 2002.

Patrick T. Norton, Interim Director
Offices located in Room 215 of the Cross Office Building

Joint Standing Committee on Utilities and Energy

LD 1837

An Act to Improve the Ability of the Public Utilities Commission to Enforce State Laws, Rules and Requirements

ONTP

<u>Sponsor(s)</u> SAVAGE W		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1837 proposed to increase the dollar amount of the penalty that the Public Utilities Commission may impose if a public utility does not comply with the utility law or commission rules, tariffs or orders; it proposed to establish certain guidelines for assessing the penalty.

LD 1838

An Act to Eliminate Unnecessary Filing Requirements for Water Utilities

PUBLIC 488

<u>Sponsor(s)</u> SAVAGE W		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-765
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LD 1838 proposed to remove the requirement that, in addition to filing plans for the construction of a water system, a water utility must file with the Public Utilities Commission and with the Department of Human Services engineering estimates, all costs, and a justification of the construction project and of its next best alternative. The bill proposed to remove the requirement that the information be made available for public review but to retain the requirement that the public be notified if expenses exceed a specified level.

Under current law a water utility must provide special notice to customers if it proposes to incur expenditures over a certain amount as a result of the requirements of the federal Safe Drinking Water Act. Under the bill a water utility would be required to provide such notice anytime it proposed to incur such expenditures, whether or not those expenses would be incurred as a result of the federal Safe Drinking Water Act.

Committee Amendment "A" (H-765) proposed to change the public notice portion of the bill back to the current law so that notice would only be required when a water utility incurs such expenditures as a result of the federal Safe Drinking Water Act.

Enacted law summary

Public Law 2001, chapter 488 removes the requirement that a water utility that, as a result of the requirements of the federal Safe Drinking Water Act, will incur expenses in excess of 50% of its annual operating revenue file with the Public Utilities Commission and with the Department of Human Services engineering estimates, all costs, and a justification of the construction project and of the utility's next best alternative. The law also removes the requirement that this information be made available for public review; it retains the requirement that the public be notified if such expenses will be incurred.