

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 1869 **An Act Regarding Protective Orders in Public Utilities Commission Proceedings** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCALEVEY	ONTP	

LD 1869 proposed to change the criteria for the issuance of protective orders in Public Utilities Commission proceedings. It proposed to repeal some of the changes that were made in 1998 that required, with some exceptions, confidential information to be made available to an opposing party's counsel or consultant and to allow the Public Utilities Commission to determine the financial interests of the parties seeking access to confidential information.

LD 1893 **An Act to Facilitate More Effective Consumer Representation at the Office of the Public Advocate** **PUBLIC 476**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FERGUSON	OTP MAJ ONTP MIN	

LD 1893 proposed to authorize the Public Advocate to substitute an economic analyst position for a vacant senior counsel position. The bill also proposed to authorize the Public Advocate to compensate a senior counsel at a higher salary range when the increase is necessary to provide competitive salary levels.

Enacted law summary

Public Law 2001, chapter 476 authorizes the Public Advocate to substitute an economic analyst position for a vacant senior counsel position. Public Law 2002, chapter 476 also authorizes the Public Advocate to compensate a senior counsel at a higher salary range when the increase is necessary to provide competitive salary levels.

LD 1906 **An Act to Amend the Charter of the Corinna Sewer District** **P & S 47
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAVIS P TOBIN J	OTP	

LD 1906 proposed to amend the charter of the Corinna Sewer District by allowing the trustees to set a date for the annual meeting.

Enacted law summary

Private and Special Law 2001, chapter 47 amends the charter of the Corinna Sewer District by allowing the trustees discretion in setting the date for the annual meeting.

Joint Standing Committee on Utilities and Energy

Private and Special Law 2001, chapter 47 was enacted as an emergency measure effective February 14, 2002.

LD 1937 **An Act to Benefit Maine's Economy** **ONTP**

<u>Sponsor(s)</u> MCGLOCKLIN		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1937 proposed to use funds from the asset sale gain accounts of Bangor Hydro-Electric and Central Maine Power (ratepayer funds derived from the sale of generation assets) to provide rate subsidies in the form of 1 cent/kWh credits to medium and large electricity consumers. These accounts were used by the Public Utilities Commission to provide a .8 cent/kWh subsidy in the form of credits to certain medium and large customers of BHE and CMP from April 15, 2001 to February 28, 2002. In stipulations approved by the Public Utilities Commission in "stranded cost" cases for BHE and CMP, further subsidies were provided in the form of credits of .45 cents/kWh for large consumers of CMP and .4 cents/kWh for certain large customers of BHE.

LD 1973 **An Act Regarding Utility Easements** **PUBLIC 608**

<u>Sponsor(s)</u> HALL		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-872
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LD 1973 proposed to provide that utilities would obtain easements to maintain, improve and replace facilities across a railroad in the event the railroad is abandoned. The bill also proposed to specify that electric utilities can take easements across railroad property unless the crossing would interfere with rail operations.

Committee Amendment "A" (H-872) proposed to replace the bill. This amendment proposed

1. To authorize the Public Utilities Commission to allow a natural gas utility or a person maintaining or operating a telephone or electric line to acquire an easement to run a line across a railroad, including an abandoned railroad; and
2. To clarify that the commission cannot authorize a natural gas utility or a person maintaining or operating a telephone or electric line to acquire by eminent domain land owned by the State.

The amendment also proposed to add a fiscal note to the bill.

Enacted law summary

Public Law 2001, chapter 608 authorizes the Public Utilities Commission to allow a natural gas utility or a person maintaining or operating a telephone or electric line to acquire an easement to run a line across a railroad, including an abandoned railroad, and clarifies that the commission can not authorize a natural gas utility or a person maintaining or operating a telephone or electric line to acquire by eminent domain land owned by the State.