

# 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.  
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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](http://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:

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
PASSED	Joint Order passed in both bodies
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 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

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>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCGLOCKLIN	ONTP	

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>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HALL	OTP-AM	H-872

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.