

# 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  
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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 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.

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

**LD 1981**                      **An Act to Prohibit the Charging of Tolls for Phone Calls Made Between Contiguous Communities**                      **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MICHAUD ME MARTIN	ONTP	

LD 1981 proposed to prohibit a telephone utility from charging a toll-call rate for a telephone call made between contiguous communities. Similar issues relating to local calling areas were reviewed by the committee in the First Regular Session (see LD 33); also, the Public Utilities Commission is reviewing these issues in the context of its revision of its Basic Service Calling Area Rule, Chapter 205.

**LD 1985**                      **An Act to Avoid Incompatible Employment of Water Utility Employees**                      **ONTP**

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

LD 1985 proposed to establish a new process that water utilities would be required to follow in cases involving potential conflicts of interest in the hiring of contractors. It also proposed to establish criteria for the employment of municipal officers and their family members by a water utility. The bill also proposed to allow the Public Utilities Commission to grant a waiver of the employment criteria if it found that the water utility's hiring procedure was equitable for ratepayers and candidates for employment.

**LD 1995**                      **Resolve, Regarding Participation in Regional Transmission Organization**                      **RESOLVE 81  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GOODWIN	OTP-AM	H-838

LD 1995 proposed to require the Public Utilities Commission to conduct a study of the feasibility of the State's transmission and distribution utilities' participation in a regional transmission organization that includes northern Maine and Canada. The resolve also proposed to require that the Public Utilities Commission require that any regional transmission organization joined by the State's transmission and distribution utilities have a governance structure that provides for voting participation of consumers.

**Committee Amendment "A" (H-838)** proposed to add clarifying language to the section of the resolve directing the Public Utilities Commission to undertake a study. This amendment proposed to remove the section of the resolve relating to the governance structure of a regional transmission organization. This amendment also proposed to add a fiscal note to the resolve.

## Joint Standing Committee on Utilities and Energy

### *Enacted law summary*

Resolve 2001, chapter 81 requires the Public Utilities Commission to conduct a study of the advantages and disadvantages of the State's transmission and distribution utilities' participation in a regional transmission organization that includes northern Maine and Canada.

Resolve 2001, chapter 81 was finally passed as an emergency measure effective March 14, 2002.

**LD 2003**

### **An Act to Prepare Residential Electricity Customers for Competitive Electricity Markets in Maine**

**PUBLIC 528  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BLISS EDMONDS	OTP-AM	H-819

LD 2003 proposed to advance by 2 years the deadline for the Public Utilities Commission investigation of the continued necessity of standard-offer service in the State's competitive electricity markets. The bill also proposed to specify certain matters that the commission must investigate with respect to the continuation of standard-offer service and proposed to require the commission to make recommendations to the Utilities and Energy Committee on appropriate changes in the laws governing standard-offer service.

**Committee Amendment "A" (H-819)** proposed to add language to the bill to clarify that the Public Utilities Commission is in no manner limited in its investigation of standard-offer issues to those described in the bill. The amendment also proposed to add a fiscal note to the bill.

### *Enacted law summary*

Public Law 2001, chapter 528 advances by 2 years the deadline for the Public Utilities Commission investigation of the value and continued necessity of standard-offer service in the State's competitive electricity markets. The bill also specifies certain matters that the commission must investigate with respect to the continuation of standard-offer service and requires the commission to make recommendations to the Utilities and Energy Committee on appropriate changes in the laws governing standard-offer service.

Public Law 2001, chapter 528 was enacted as an emergency and took effect on March 12, 2002.

**LD 2024**

### **An Act to Improve the Safety Provided by the Underground Facilities Protection Law**

**PUBLIC 577  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAVAGE W	OTP-AM	H-895

LD 2024 proposed to revise the law governing the so-called dig-safe system. The revisions proposed to provide limited exemptions for cemeteries and shoulder grading; require operators to mark inactive facilities, affirmatively respond to the dig-safe system and locate facilities to the point of service transfer; require the system to implement