

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 2107

Resolve, Regarding Legislative Review of Portions of Chapter 395 - Construction Standards and Ownership and Cost Allocation Rules for Electric Distribution Line Extensions, a Major Substantive Rule of the Public Utilities Commission

**RESOLVE 83
EMERGENCY**

Sponsor(s)

Committee Report
OTP-AM

Amendments Adopted
H-894

LD 2107 proposed to provide for legislative review of portions of Chapter 395 - Construction Standards and Ownership and Cost Allocation Rules for Electric Distribution Line Extensions, a major substantive rule of the Public Utilities Commission.

Committee Amendment "A" (H-894) proposed to authorize the final adoption of those portions of Chapter 395 - Construction Standards and Ownership and Cost Allocation Rules for Electric Distribution Line Extensions that are major substantive rules of the Public Utilities provided certain enumerated changes are made to the rule. The changes would (1) clarify that a transmission and distribution utility is not required to certify the safety of a private line but only to make a determination whether the line can be safely energized, (2) require a transmission and distribution utility to refuse to energize a private line if it is unsafe and allow a transmission and distribution utility to refuse to energize a private line if it otherwise does not meet the standards of the rules, (3) establish a timeframe for a transmission and distribution utility's inspection of a privately built line, a timeframe and process for resolving disputes between a transmission and distribution utility and a private line contractor about the application of the rules, and exemptions from these timeframes in cases of a weather emergency, and (4) increase the period of cost sharing among users of line extensions from 10 to 20 years.

Enacted law summary

Resolve 2001, chapter 83 authorizes final adoption of portions of Chapter 395 - Construction Standards and Ownership and Cost Allocation Rules for Electric Distribution Line Extensions, a major substantive rule of the Public Utilities Commission, provided certain enumerated changes are made to the rule.

Resolve 2001, chapter 83 was finally passed as an emergency measure effective March 21, 2002.

LD 2147

An Act Providing for the Supply of Water to the City of Brewer

**P & S 66
EMERGENCY**

Sponsor(s)
YOUNGBLOOD
LEDWIN

Committee Report
OTP-AM

Amendments Adopted
S-498
S-510 YOUNGBLOOD

LD 2147 proposed to authorize the City of Brewer to acquire the assets of the Brewer Water District. The bill also proposed to repeal the charter of the Brewer Water District.

Committee Amendment "A" (S-498) proposed to replace the bill. This amendment proposed to preserve the essential elements of the bill but make various modifications and add new provisions. This amendment proposed to:

Joint Standing Committee on Utilities and Energy

1. Authorize the City of Brewer to hold a referendum on the dissolution of the Brewer Water District and the transfer of the district's assets to the city;
2. Upon approval of the referendum, and approval of a majority of the City Council of Brewer and a majority of the trustees of the district, require the transfer of the assets and obligations of the water district to the city;
3. Upon the transfer of the assets and obligations of the water district to the city, grant to the city authority, now possessed by the district, to take water from water sources outside the city, to serve customers outside the city, to lay pipe and exercise eminent domain outside the city, and to adopt rules to protect Hatcase Pond, which is located in the Town of Dedham and the Town of Eddington; and
4. Require the Public Utilities Commission, at the request of the city, to examine employment contracts of the district and authorize the commission to void a contract if the commission finds the contract was an unreasonable act of the district.

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

Senate Amendment "A" to Committee Amendment "A" (S-510) proposed to add an emergency preamble and clause and change language in the bill to allow submission of the issue of dissolution of the Brewer Water District to the voters of the City of Brewer at the June primary.

Enacted law summary

Private and Special Law 2001, chapter 66 authorizes the City of Brewer to hold a referendum on the dissolution of the Brewer Water District and the transfer of the district's assets to the city; upon approval of the referendum, and approval of a majority of the City Council of Brewer and a majority of the trustees of the district, requires the transfer of the assets and obligations of the water district to the city; upon the transfer of the assets and obligations of the water district to the city, grants to the city authority, now possessed by the district, to take water from water sources outside the city, to serve customers outside the city, to lay pipe and exercise eminent domain outside the city and to adopt rules to protect Hatcase Pond, which is located in the Town of Dedham and the Town of Eddington; and requires the Public Utilities Commission, at the request of the city, to examine employment contracts of the district and authorizes the commission to void a contract if the commission finds the contract was an unreasonable act of the district.

Private and Special Law 2001, chapter 66 was enacted as an emergency measure effective April 4, 2002.

LD 2159

**An Act to Amend the Charter of the Corinna Water District to
Allow for the Appointment of Trustees**

**P & S 65
EMERGENCY**

<u>Sponsor(s)</u> DAVIS P TOBIN J	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> S-474
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LD 2159 proposed to amend the charter of the Corinna Water District to provide for the appointment of trustees to the board of trustees of the Corinna Water District by the municipal officers of the Town of Corinna. It also proposed to repeal a provision requiring the trustees to be customers of the district.