

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
124<sup>TH</sup> LEGISLATURE  
FIRST REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed during the First Regular Session of the 124<sup>th</sup> Maine Legislature coming from the

**JOINT STANDING COMMITTEE ON UTILITIES AND  
ENERGY**

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# STATE OF MAINE

124<sup>TH</sup> LEGISLATURE  
FIRST REGULAR SESSION



## LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* summarizes all bills and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 124<sup>th</sup> Maine Legislature.

The *Digest* is arranged alphabetically by committee, and within each committee by LD number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are summarized and listed by paper number. A subject index is included with each committee. The appendices include a summary of relevant session statistics, an index of all bills by LD number and an index of enacted laws by law type and chapter 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:

CARRIED OVER.....	Carried over to a subsequent session of the Legislature
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; bill died
ONTP (or Accepted ONTP report).....	Ought Not To Pass report accepted; bill died
P&S XXX.....	Chapter # of enacted Private & Special Law
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

The effective date for non-emergency legislation enacted in the First Regular Session of the 124<sup>th</sup> Legislature is September 12, 2009. The effective date for legislation enacted as an emergency measure is specified in the enacted law summary for those bills.

# Joint Standing Committee on Utilities and Energy

## LD 953 An Act To Amend the Charter of the Winterport Water District

P & S 11  
EMERGENCY

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
THIBODEAU	OTP	

This bill repeals language that would discontinue the Winterport Water District's authority to disconnect water of the users of the district's sewer system for nonpayment of sewer service.

### Enacted Law Summary

Private and Special Law 2009, chapter 11 repeals language that would discontinue the Winterport Water District's authority to disconnect water of the users of the district's sewer system for nonpayment of sewer service.

Private and Special Law 2009, chapter 11 was enacted as an emergency measure effective April 17, 2009.

## LD 954 An Act To Clarify the Role of the Public Advocate

PUBLIC 399

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
THIBODEAU	OTP-AM MAJ ONTP MIN	H-165 S-260 HOBBS

Under current law, the duties and responsibilities of the Public Advocate are to represent the public in matters within the jurisdiction of the Public Utilities Commission. This bill provides that the Public Advocate must be unencumbered by direction from or approval of the executive branch in fulfilling those duties and responsibilities.

### Committee Amendment "A" (H-165)

This amendment is the majority report of the committee. The amendment replaces the bill. The amendment changes the position of the Public Advocate from serving at the pleasure of the Governor to serving a 4-year term that begins and ends midway through the Governor's term of office, effective January 31, 2013. The amendment specifies that the Public Advocate may be removed by the Governor for willful violation of the laws governing the Office of the Public Advocate.

The amendment also directs the Public Utilities Commission to convene and host a working group to evaluate and make recommendations regarding the feasibility and appropriateness of changing the organizational relationship of the Office of the Public Advocate to the Executive Department, for the purpose of ensuring that the Public Advocate has the necessary independence from other influences to fulfill the advocate's statutory duties and responsibilities without compromise. The working group is required to report its findings and recommendations to the Joint Standing Committee on Utilities and Energy by January 15, 2010. The committee is authorized to report out legislation on the subject of the report to the Second Regular Session of the 124th Legislature.

### Senate Amendment "A" To Committee Amendment "A" (S-260)

This amendment applies the provisions of Committee Amendment "A" regarding the appointment and removal of the Public Advocate to the current Public Advocate, except that this amendment specifies that the term of office of

## Joint Standing Committee on Utilities and Energy

the current Public Advocate expires January 31, 2013. This amendment also removes the working group proposed in Committee Amendment "A."

### Enacted Law Summary

Public Law 2009, chapter 399 changes the position of the Public Advocate from serving at the pleasure of the Governor to serving a 4-year term that begins and ends midway through the Governor's term of office. The law specifies that the Public Advocate may be removed by the Governor for willful violation of the laws governing the Office of the Public Advocate. The law applies these changes to the current Public Advocate and specifies that the term of office of the current Public Advocate expires January 31, 2013.

### LD 968      **Resolve, Regarding New Utility Line Extension Construction**

**RESOLVE 69**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FLETCHER NUTTING J	OTP-AM	H-253

This bill directs the Public Utilities Commission to establish by rule standards for estimating the cost of construction of a new line extension by a transmission and distribution utility. The rules must require that a transmission and distribution utility provide a detailed quote that includes all costs to each residential, commercial or industrial customer seeking the construction of a new line extension. It prohibits a transmission and distribution utility from using average, per-unit costs based on the length of the line extension or the number of poles.

### Committee Amendment "A" (H-253)

This amendment replaces the bill with a resolve. The amendment directs the Public Utilities Commission to convene a stakeholder group to study the practices of investor-owned transmission and distribution utilities with respect to new utility line extension construction and how these practices affect private line extension contractors. The amendment requires the commission to report to the Joint Standing Committee on Utilities and Energy no later than February 15, 2010 regarding the findings and recommendations of the stakeholder group. After receipt and review of the report, the committee is authorized to report out legislation to the Second Regular Session of the 124th Legislature, as necessary, to direct the Public Utilities Commission to amend its rules governing private line extensions.

### Enacted Law Summary

Resolve 2009, chapter 69 directs the Public Utilities Commission to convene a stakeholder group to study the practices of investor-owned transmission and distribution utilities with respect to new utility line extension construction and how these practices affect private line extension contractors. The resolve requires the commission to report to the Joint Standing Committee on Utilities and Energy no later than February 15, 2010 regarding the findings and recommendations of the stakeholder group. After receipt and review of the report, the committee is authorized to report out legislation to the Second Regular Session of the 124th Legislature, as necessary, to direct the Public Utilities Commission to amend its rules governing private line extensions.