

# MAINE STATE LEGISLATURE

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*State Of Maine  
121st Legislature*

*First Regular Session*

*Bill Summaries*

*Joint Standing Committee  
on  
Utilities and Energy*

*July 2003*

**Members:**

*Sen. Christopher G. L. Hall, Chair  
Sen. Lynn Bromley  
Sen. Edward M. Youngblood*

*Rep. Lawrence Bliss, Chair  
Rep. Herbert Adams  
Rep. Albion D. Goodwin  
Rep. Peter L. Rines*

*Rep. Jacqueline A. Lundeen  
Rep. Donald P. Berry, Sr.  
Rep. Philip A. Cressey, Jr.  
Rep. Kenneth C. Fletcher  
Rep. Stanley A. Moody  
Rep. Maitland E. Richardson*

**Staff:**

*Jon Clark, Senior Analyst*

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# Maine State Legislature



## Office Of Policy And Legal Analysis Office Of Fiscal And Program Review

### 121st Maine Legislature First Regular Session

#### Summary Of Legislation Before The Joint Standing Committees

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing and joint 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:

<i>CARRIED OVER PURSUANT TO HP 1212</i> .....	<i>Bills carried over to the 2<sup>nd</sup> Regular Session</i>
<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 &amp; 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>P&amp;S XXX</i> .....	<i>Chapter # of enacted Private &amp; 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 that the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is September 13, 2003.

**David C. Elliott, Director**  
Offices located in Room 215 of the Cross Office Building

*Joint Standing Committee on Utilities and Energy*

**LD 7**

**An Act to Address Funding of the North Jay Water District**

**P & S 10  
EMERGENCY**

<u>Sponsor(s)</u> PINEAU		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-111
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LD 7 proposed to increase the debt limit of the North Jay Water District from \$500,000 to \$900,000.

**Committee Amendment "A" (H-111)** proposed to make a technical correction to the bill.

***Enacted Law Summary***

Private and Special Law 2003, chapter 10 increases the debt limit of the North Jay Water District from \$500,000 to \$900,000.

Private and Special Law 2003, chapter 10 was enacted as an emergency measure effective May 6, 2003.

**LD 29**

**An Act to Eliminate the Telephone Service Tax Dedicated to  
Libraries and Schools**

**ONTP**

<u>Sponsor(s)</u> GAGNE-FRIEL BENNETT R		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 29 proposed to repeal the schools and libraries program funded by the telecommunications education access fund. The fund is funded by a .5% fee on telecommunications services. The program provides discounted telecommunications services, internet access, internal connections, computers and training to qualified libraries and schools.

**LD 67**

**An Act to Ensure that Utility Property is used to Further the Public  
Interest**

**ONTP**

<u>Sponsor(s)</u> GOODWIN		<u>Committee Report</u> ONTP MAJ OTP-AM MIN		<u>Amendments Adopted</u>
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LD 67 proposed to change the law governing the exercise of eminent domain by transmission and distribution utilities by:

1. Removing the territorial limit in which a transmission and distribution utility may exercise eminent domain to take land for transmission lines;
2. Eliminating a provision requiring the permission of line owners and adding a provision requiring the permission of the Public Utilities Commission before a transmission and distribution utility may use eminent domain in

## *Joint Standing Committee on Utilities and Energy*

acquiring lands or easements so closely paralleling existing wire lines of other utilities that the proposed transmission lines would substantially interfere with service rendered over the existing lines; and

3. Prohibiting a transmission and distribution utility from using property that it acquires through the exercise of eminent domain or property that it acquires by other means but that it had authority to take by eminent domain for any purpose other than the purpose for which the property was acquired, and also prohibit the transmission and distribution utility from transferring its interest in that property to any other entity, including an affiliate, without the permission of the commission.

**Committee Amendment "A" (H-318)** was the minority report of the Joint Standing Committee on Utilities and Energy. With regard to property acquired by eminent domain, or property acquired by other means but taken under the threat of eminent domain, this amendment proposed to prohibit a transmission and distribution utility from using the property for purposes other than those for which it was acquired. The amendment proposed to authorize the Public Utilities Commission to allow public uses of covered property or, by rule, incidental uses of covered property. (Not adopted)

**LD 87**                      **An Act to Ensure That all State Residential and Commercial Customers are Able to Purchase Electricity Through the Competitive Market**                      **ONTP**

<u>Sponsor(s)</u> GOODWIN	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 87 proposed to:

1. Require the Public Utilities Commission to establish by rule the same consumer credit protections for competitive electricity providers as are provided under standard offer service (credit management and bad debt are absorbed in a standard offer premium and transmission and distribution rates); and
2. Require payments on a consolidated generation/delivery bill to be divided proportionally for each element of the service, unless the consumer otherwise specifies in written instructions to a transmission and distribution utility.

**LD 90**                      **An Act to Create Broadband Internet Access in Rural Areas of the State**                      **ONTP**

<u>Sponsor(s)</u> GOODWIN	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 90 proposed to require the Public Utilities Commission to direct telecommunications carriers subject to commission jurisdiction to provide broadband Internet access services to rural areas of the State that are comparable to those services provided in urban areas.