

# 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  
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Rep. Albion D. Goodwin  
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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*

distribution utility. The law allows the Public Utilities Commission to conduct the reviews in a manner that limits the costs to ratepayers.

**LD 392**                      **An Act To Prohibit Use of Computerized Calls by Telemarketers**                      **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUDLEY	ONTP      MAJ	
STRIMLING	OTP      MIN	

LD 392 proposed to generally to prohibit the use of automated telephone solicitation calls to persons in this State. The bill proposed to provide exceptions for calls made on behalf of a charitable organization or on behalf of a political party or candidate. It also proposed to preserve those portions of existing law that limit and prohibit certain uses of automated telephone solicitation calls and the exceptions to those limits and prohibitions.

**LD 397**                      **Resolve, To Create the Study Group To Examine an Emergency Alert Notification System for Deaf and Hard-of-hearing Individuals**                      **RESOLVE 78 EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
EDMONDS	OTP-AM	H-551 RICHARDSON J
KOFFMAN		S-40

LD 397 was a concept draft pursuant to Joint Rule 208.

This bill proposed to study the development of an emergency alert notification system for deaf and hard-of-hearing individuals. The study would be conducted in conjunction with federal and state homeland security groups and would contemplate notification for all types of emergencies, including weather emergencies.

**Committee Amendment "A" (S-40)** proposed to establish the Study Group to Examine an Emergency Alert Notification System for Deaf and Hard-of-hearing Individuals. The study group would consist of 17 members and would be chaired and staffed by the Maine Emergency Management Agency within the Department of Defense, Veterans and Emergency Management. The study group would be directed to invite the participation of any interested members of the Joint Standing Committee on Utilities and Energy. The study group would be authorized to report out legislation related to the study.

**House Amendment "A" to Committee Amendment "A" (H-551)** proposed to authorize the Study Group to Examine an Emergency Alert Notification System for Deaf and Hard-of-hearing Individuals to report out only a single bill related to the study. It proposed to remove the provision allowing the study group an extension of time to complete its study.

### *Enacted Law Summary*

Resolve 2003, chapter 78 establishes the Study Group to Examine an Emergency Alert Notification System for Deaf and Hard-of-hearing Individuals. The study group consists of 17 members and is chaired and staffed by the Maine Emergency Management Agency within the Department of Defense, Veterans and Emergency Management. The study group is directed to invite the participation of any interested members of the Joint Standing Committee on

## *Joint Standing Committee on Utilities and Energy*

Utilities and Energy. The Study Group is authorized to report out a single bill related to the study. The study group is not allowed to seek an extension of time to complete its study.

Resolve 2003, chapter 78 was enacted as an emergency effective June 17, 2003.

**LD 437**                      **An Act To Ensure Opportunity for Public Comment at Meetings of Sanitary Districts**                      **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BROMLEY DAIGLE	ONTP	

LD 437 proposed to require that the public be allowed an opportunity to comment on any change to a sanitary district's public services, fees, rates or facility plans prior to the board of trustee's final vote on the change.

**LD 479**                      **An Act To Revise the Funding Formula for the Public Utilities Commission and the Public Advocate**                      **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAGGETT COWGER	ONTP      MAJ OTP-AM    MIN	

LD 479 proposed to increase the cap on the assessment collected by the Public Utilities Commission and to change the method of determining the assessment on water utilities for funding of the Public Utilities Commission and the Public Advocate's office.

**Committee Amendment "A" (S-52)**, which was the minority report of the Joint Standing Committee on Utilities and Energy, proposed to remove any changes to the cap on the Public Utilities Commission assessment on utilities. The amendment proposed to preserve those portions of the bill that change the method of determining the assessment on water utilities. The level of the cap on the total Public Utilities Commission assessment was the subject of LD 1042. (Not adopted)

**LD 481**                      **An Act To Preserve Competition in the Long-distance Telephone Market**                      **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAGGETT BLISS	ONTP	

LD 481 proposed to prohibit employees of telephone utilities that provide both local exchange and interstate interexchange service who are involved in the marketing of local exchange services from being involved in the marketing of interstate interexchange services.