

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*

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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).

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 2nd 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 & 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&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 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

1. Provide that a municipal officer of the Town of Lubec would not be eligible to be a trustee of the district but allow holders of other town offices to be eligible;
2. Provide that all voters in the district would be eligible to vote in trustee elections;
3. Provide that trustee elections are held at the annual town meeting of the Town of Lubec; and
4. Remove the referendum clause from the bill, and modify the language of the emergency preamble to reflect changes to the bill.

Enacted Law Summary

Private and Special Law 2003, chapter 15 amends the Charter of the Lubec Water and Electric District to take into account the sale of the district's electric business on August 1, 1990. The law also provides that a municipal officer of the Town of Lubec is not eligible to be a trustee of the district but removes the current ineligibility for holders of other town offices; provides that all voters in the district are eligible to vote in trustee elections; and provides that trustee elections are held at the annual town meeting of the Town of Lubec.

Private and Special Law 2003, chapter 15 was enacted as an emergency measure effective May 13, 2003.

LD 724

An Act To Enhance Homeland Security

PUBLIC 124

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| MCKEE | OTP-AM MAJ | H-131 |
| TREAT | ONTP MIN | |

LD 724 proposed to amend the confidentiality provisions of the E-9-1-1 law to permit the use or disclosure of E-9-1-1 system information to public safety agencies to the extent necessary to allow the use of the system to make outgoing emergency calls (known as "reverse 911").

Committee Amendment "A" (H-131), which was the majority report of the Joint Standing Committee on Utilities and Energy, proposed to replace the bill. The amendment proposed to clarify that confidential information in E-9-1-1 databases that is required to be disclosed to providers of emergency services and providers of emergency support services pursuant to 47 United States Code, Section 222(g) remain subject to existing confidentiality provisions and that a provider of emergency services and emergency support services that acquires such confidential information pursuant to that provision of federal law may use the information solely for the purposes of delivering or assisting in the delivery of emergency notification services (e.g., reverse 911). The amendment also proposed to provide that the name, address and telephone number of any person to whom any outgoing emergency notification call is made using confidential information acquired pursuant to 47 United States Code, Section 222(g) are confidential in the same manner as that information in the E-9-1-1 database.

Enacted Law Summary

Public Law 2003, chapter 124 clarifies that confidential information in E-9-1-1 databases that is required to be disclosed to providers of emergency services and providers of emergency support services pursuant to 47 United States Code, Section 222(g) remains subject to existing confidentiality provisions and that a provider of emergency services and emergency support services that acquires such confidential information pursuant to that provision of

Joint Standing Committee on Utilities and Energy

federal law may use the information solely for the purposes of delivering or assisting in the delivery of emergency notification services. The amendment also provides that the name, address and telephone number of any person to whom any outgoing emergency notification ("reverse 911") call is made using confidential information acquired pursuant to 47 United States Code, Section 222(g) are confidential in the same manner as that information in the E-9-1-1 database.

LD 771

An Act To Provide Parity in Funding for Enhanced 9-1-1 Services

PUBLIC 194

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| BLISS HALL | OTP-AM | H-217 |

LD 771 proposed to provide cellular and wireless telecommunications service providers reimbursement for the costs of implementing E-9-1-1 service in the State. Currently, cellular and wireless customers contribute to the E-9-1-1 fund, but only landline telephone service providers are entitled to reimbursement for implementation costs.

Committee Amendment "A" (H-217) proposed to specify that cellular and wireless telecommunications service providers may only receive reimbursement for eligible expenses related to the E-9-1-1 system if the provider does not separately bill customers for the expenses and the provider is not otherwise reimbursed for the expenses.

Enacted Law Summary

Public Law 2003, chapter 194 provides that cellular and wireless telecommunications service providers may only receive reimbursement for eligible expenses related to the E-9-1-1 system if the provider does not separately bill customers for the expenses and the provider is not otherwise reimbursed for the expenses. Currently, cellular and wireless customers contribute to the E-9-1-1 fund, but only landline telephone service providers are entitled to reimbursement for implementation costs.

LD 775

An Act To Clarify That All Companies Offering Telephone Services for Compensation, Including Switchless Resellers, Are Telephone Utilities

PUBLIC 153

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| BLISS HALL | OTP-AM | H-125 |

LD 775 proposed to clarify that all persons offering telephone services for compensation, including so-called "switchless resellers," are telephone utilities. The bill proposed to revise the definition of "telephone utility" to include a telephone utility that offers "telephone service" and to remove any reference to ownership or control of a "telephone line"; to establish a new definition of "telephone service"; and to repeal the definition of "telephone line."

Committee Amendment "A" (H-125) proposed to clarify that the term "telephone utility" does not include entities excluded from the definition of "public utility."