

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

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."

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Enacted Law Summary

Public Law 2003, chapter 153 clarifies that all persons offering telephone services for compensation, including so-called "switchless resellers," are telephone utilities. The law revises the definition of "telephone utility" by specifying that a telephone utility offers "telephone service", establishes a new definition of "telephone service", repeals the definition of "telephone line" and clarifies that the term "telephone utility" does not include entities excluded from the definition of "public utility."

LD 776 **An Act To Eliminate Potential Restrictions to the Establishment of an Alternative Form of Regulation for Some Telephone Utilities** **PUBLIC 48 EMERGENCY**

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

LD 776 proposed to repeal a section of law that contemplates the Public Utilities Commission concluding any proceeding establishing an "alternative form of regulation" for a telephone utility by 1996. Removing the provision would allow the commission to adopt an alternative form of regulation for telephone utilities other than Verizon.

Enacted Law Summary

Public Law 2003, chapter 48 repeals a section of law that provides for certain procedural requirements if the Public Utilities Commission concludes a proceeding establishing an "alternative form of regulation" for a telephone utility before certain dates in 1995 and 1996. Repealing this clarifies that the commission may establish an alternative form of regulation for telephone utilities for which the commission has not yet established an alternative form of regulation.

Public Law 2003, chapter 48 was enacted as an emergency measure effective April 17, 2003.

LD 799 **Resolve, To Improve Energy Efficiency in New School Buildings** **ONTP**

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

This resolve proposed to direct the Commissioner of Education to amend the Department of Education's rules on construction of new schools or school buildings to require that all new school construction proposals be based on the most energy and environmentally efficient designs suitable. The commissioner would be required to submit a report to the Second Regular Session of the 121st Legislature. (The concept of this bill was addressed in the committee amendment to LD 233.)