

# MAINE STATE LEGISLATURE

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*State Of Maine  
122nd Legislature*

*First Regular Session and  
First Special Session*

*Bill Summaries*

*Joint Standing Committee  
on  
Utilities and Energy*

*August 2005*

**Members:**

*Sen. Philip L. Bartlett II, Chair  
Sen. Scott W. Cowger  
Sen. Carol Weston*

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

*Rep. Christopher W. Babbidge  
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Maine State Legislature

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122nd Legislature
First Regular Session and First Special Session

Summary of Legislation Considered by the Joint Standing Committees
August 2005

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing 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 organized by committees 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. A subject index for each committee is included immediately before the bill summaries for that committee, and a numerical index by LD number is included 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:

- CARRIED OVER ..... Bill Carried Over to Second Regular Session
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
ONTP..... Ought Not To Pass report accepted
OTP ND..... Committee report Ought To Pass In New Draft
OTP ND/NT..... Committee report Ought To Pass In New Draft/New Title
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

Please note the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is June 29, 2005; and for non-emergency legislation enacted in the First Special Session is September 17, 2005.

## *Joint Standing Committee on Utilities and Energy*

utility's ratepayers. The bill proposed to require at least 40% of available funds be apportioned among programs for low-income and small business customers; the remainder would be available to other customers. The bill proposed to direct the Public Utilities Commission to adopt rules governing program cost-effectiveness and to make annual reports on the program to the Joint Standing Committee on Utilities and Energy.

**Committee Amendment "A" (H-185)** proposed to make the following changes to the bill:

1. To provide that the apportionment of a gas utility's available funds for conservation programs must be in accordance with rules adopted by the Public Utilities Commission. It proposed to direct the Public Utilities Commission to ensure that a reasonable percentage of funds is available to low-income consumers and to small-business consumers based on an assessment of the opportunity for cost-effective conservation measures for such consumers. It also proposed to direct the commission to define "small business" and to consider definitions of that term used for other programs that assist small businesses; and
2. To change the funding level for conservation programs so that it is calculated using delivery revenues rather than total revenues and to clarify certain other language of the bill.

### ***Enacted law summary***

Public Law 2005, chapter 110 requires gas utilities that serve at least 5,000 residential consumers (which currently includes only Northern Utilities) to implement cost-effective conservation programs. The funding level is capped at 3% of the utility's delivery service revenues. The apportionment of a gas utility's available funds for conservation programs must be in accordance with rules adopted by the Public Utilities Commission. The Public Utilities Commission is required to ensure that a reasonable percentage of funds is available to low-income consumers and to small-business consumers based on an assessment of the opportunity for cost-effective conservation measures for such consumers. The commission is also required to define "small business" and to consider definitions of that term used for other programs that assist small businesses.

**LD 407**                      **An Act To Place the Emergency Services Communication Bureau    CARRIED OVER  
within the Department of Public Safety**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HOBBINS PARADIS		

LD 407 proposed to move the Emergency Services Communication Bureau from within the Public Utilities Commission to within the Department of Public Safety.

This bill was carried over by H.P. 1203 to the next special or regular session of the 122<sup>nd</sup> Legislature.

**LD 413**                      **An Act To Amend the Charter of the York Sewer District**                      **P & S 22**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ANDREWS	OTP-AM    A OTP-AM    B ONTP        C	S-281