

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
Rep. John R. Brautigam
Rep. Kenneth C. Fletcher
Rep. Maitland E. Richardson
Rep. Philip A. Curtis
Rep. Stacey Allen Fitts
Rep. Everett W. McLeod, Sr.*

Staff:

Jon C. Clark, Senior Analyst

*Office of Policy and Legal Analysis
13 State House Station
Augusta, ME 04333
(207) 287-1670*



Maine State Legislature

OFFICE OF POLICY & LEGAL ANALYSIS

13 State House Station, Room 215 Cross State Office Building
Augusta, Maine 04333-0013
Telephone: (207) 287-1670
Fax: (207) 287-1275

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.

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Enacted law summary

Public Law 2005, chapter 23 amends a provision of law governing the salary range of division directors at the Public Utilities Commission: general counsel, director of finance, administrative director, director of technical analysis, and director of consumer assistance. It corrects the omission from this provision of the director of energy programs. It raises the salary range for all the positions.

LD 662 **An Act To Limit Increases in Telephone or Electric Service Rates** **CARRIED OVER** **to a Maximum of 3% Annually**

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

LD 662 proposed to provide that rates set by the Public Utilities Commission for a telephone utility may not increase for any customer by more than 3% in any 12-month period. It also proposed to require the commission to ensure that the total of the regulated rate for transmission and distribution service plus any stranded costs charge plus the charge for standard-offer service does not increase for any customer by more than 3% in any 12-month period.

LD 711 **An Act To Improve the Energy Efficiency of Buildings To Be** **ONTP** **Owned or Occupied by the State**

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

LD 711 proposed to require the Public Utilities Commission to adopt by routine technical rule an energy efficiency building code for use in the construction of all buildings built by or for the occupancy of the State, beginning with construction initiated on or after July 1, 2006.

LD 789 **An Act Pertaining to Internet Services** **ONTP**

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

LD 789 proposed to amend a Maine telecommunications policy relating to access to computer-based information services. It proposed to make it the policy of the State that affordable access to “high-speed Internet services and related information networks” be made available throughout the State. The issues raised by the bill relate to complex areas of telecommunications law that are currently in some flux; certain related issues are currently in litigation. A key matter of current interest relates to the Public Utilities Commission’s role in governing access by

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competitive local exchange carriers (CLECs) to elements of the established networks of local telephone companies (incumbent local exchange carriers or ILECs). The legal issues involve a complex interplay between the provisions of the federal Telecommunication Act of 1996, Federal Communication Commission implementation of that Act, the Public Utilities Commission's role in implementation of the Act, and the Public Utilities Commission's authority under State law to regulate ILECs, consistent with federal law and rules, to promote competition in the telecommunications industry and broadband deployment.

LD 824 **An Act To Allow the Public Utilities Commission To Consider the Health of Maine's Manufacturing Economy in the Design of Electric Rates and Energy Policy** **ONTP**

<u>Sponsor(s)</u> FLETCHER		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 824 proposed to allow the Public Utilities Commission to consider the health of the State's manufacturing economy in proceedings affecting utility rate design or the allocation of stranded costs, in state energy policy proceedings, and in regional and federal energy policy proceedings. This bill relates to issues raised by LD 312.

LD 848 **An Act To Restore to Maine Citizens Responsible Access to Sebago Lake** **ONTP**

<u>Sponsor(s)</u> MOORE G DIAMOND		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 848 proposed to allow a structure to be built on the shore of Sebago Lake without Portland Water District approval as long as the owner of the proposed structure received approval from municipal and state authorities.

LD 849 **An Act To Require That Certain Water Districts Install Sand Filtration Systems To Ensure the Safety and Purity of the Water Supply** **ONTP**

<u>Sponsor(s)</u> MOORE G		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 849 proposed to require water districts that serve more than 45,000 customers to install a sand filtration system and to prohibit such water districts from raising rates to consumers in order to pay for the filtration system. This bill proposed to require that the water district sell land that is not essential to its provision of water district services to fund the filtration system. This bill also proposed to direct the Public Utilities Commission to review whether such water districts should be organized as separate entities performing separate functions such as water distribution and water treatment.