

# 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.*

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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*

**LD 1008**

**Resolve, To Establish a Study Commission To Analyze Regulations Applicable to Sewer Districts**

**ONTP**

<u>Sponsor(s)</u> NASS R		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1008 proposed to establish a study commission to analyze rules and regulations applicable to sewer districts. Sewer districts are not subject to economic regulation by the Public Utilities Commission; the rules that govern the districts are environmental regulations administered by the Department of Environmental Protection.

**LD 1028**

**An Act To Prevent Fraudulent and Deceptive Sales Practices by Internet Service Providers**

**ONTP**

<u>Sponsor(s)</u> VAUGHAN		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1028 proposed to require Internet service providers (ISPs) who offer free trial service to give recipients, prior to the expiration of the free service, notice of the cost to continue service. It proposed to prohibit an ISP from charging until the person has accepted the terms of the new agreement. The bill also proposed to require an ISP to prorate charges for a cancelled account to reflect the number of days in the billing period for which service was actually provided.

**LD 1047**

**Resolve, To Study the Feasibility of Expanding the Market for American Fuels**

**ONTP**

<u>Sponsor(s)</u> BARTLETT BLISS		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1047 proposed to direct the Energy Resources Council (ERC) to study the feasibility of expanding the market for biodiesel fuel in Maine and of using biodiesel in place of petroleum-based diesel in a public facility, such as a university or college. It proposed to require the ERC to examine the capacity for producing biodiesel in the state as well as how to “strengthen the link between producing biodiesel fuel and increasing economic development.” It proposed to require a report to be submitted to Joint Standing Committee on Utilities and Energy by January 17, 2006 and to authorize the committee to submit legislation in response to the report during the Second Regular Session of the 122nd Legislature.

These issues are related to biofuel issues which the ERC was directed to study pursuant to Resolves 2003, Chapter 50; the committee requested that the ERC use that study to examine biodiesel issues.