

# 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

Related issues were presented in LD 331.

**LD 1290**

### **An Act To Improve Funding for Telecommunications Relay Services**

**PUBLIC 305**

<u>Sponsor(s)</u> BLISS BARTLETT	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-559
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LD 1290 proposed to move funding for telecommunications relay services from its current embedded subsidy in local exchange carrier bills into the state universal service fund, which is funded by assessments on all intrastate telecommunications providers. The bill proposed to provide that the Telecommunications Relay Services Advisory Council recommend funding level requirements; the Public Utilities Commission would ultimately authorize funding levels based on a determination of what is reasonable. The bill proposed certain guidelines for determining a reasonable level of funding.

**Committee Amendment "A" (H-559)** proposed to remove a provision in law currently prohibiting the Public Utilities Commission from requiring contributions to the state universal service fund to cover amounts authorized to be transferred from that fund to the Communications Equipment Fund. The Communications Equipment Fund provides funding for telecommunications equipment for deaf and hard-of-hearing persons. The amendment also proposed to make a technical correction to avoid a conflict.

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

Public Law 2005, chapter 305 moves the funding source for telecommunications relay services from its current embedded subsidy in local exchange carrier bills into the state universal service fund, which is funded by assessments on all intrastate telecommunications providers. It provides that the Telecommunications Relay Services Advisory Council must develop recommended funding level requirements; the Public Utilities Commission then makes the final decision on funding levels.

Public Law 2005, chapter 305 removes a provision in law currently prohibiting the Public Utilities Commission from requiring contributions to the state universal service fund in order to cover amounts authorized to be transferred from that fund to the Communications Equipment Fund. The Communications Equipment Fund provides funding for telecommunications equipment for deaf and hard-of-hearing persons.

**LD 1342**

### **An Act Reducing Oversight Expense for Decommissioning Nuclear Power Plants To Benefit Electric Ratepayers**

**PUBLIC 254**

<u>Sponsor(s)</u> BARTLETT	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> S-227
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LD 1342 bill proposed to implement portions of a recent Federal Energy Regulatory Commission settlement, approved in August 2004, related to decommissioning Maine Yankee. The bill proposed to establish fixed annual fees to cover all State fees, costs and assessments with respect to Maine Yankee, other than compliance costs