

MAINE STATE LEGISLATURE

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STATE OF MAINE
123RD LEGISLATURE
FIRST REGULAR SESSION



Summaries of bills and adopted amendments and laws enacted or finally passed during the First Regular Session of the 123rd Maine Legislature coming from the

**JOINT STANDING COMMITTEE ON UTILITIES AND
ENERGY**

July 2007

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STATE OF MAINE

123RD LEGISLATURE

FIRST REGULAR SESSION

LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS



This *Legislative Digest of Bill Summaries and Enacted Laws* summarizes all bills and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 123rd Maine Legislature, which was in session from December 6, 2006 to June 21, 2007.

The *Digest* is arranged alphabetically by committee, and within each committee by LD number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are summarized and listed by paper number. A subject index is included with each committee. The appendices include a summary of relevant session statistics, an index of all bills by LD number and an index of enacted laws by law type and chapter number.

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:

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 (or Accepted ONTP report).....	Ought Not To Pass report accepted
OTP-ND.....	Committee report Ought To Pass In New Draft
P&S XXX.....	Chapter # of enacted Private & Special Law
PASSED.....	Joint Order passed in both bodies
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 that the effective date for non-emergency legislation enacted in the First Regular Session is **September 20, 2007**. The effective date for legislation enacted as an emergency measure is specified in the enacted law summary for those bills.

Joint Standing Committee on Utilities and Energy

4. It requires the Public Utilities Commission to adopt rules to implement the provisions of the E-9-1-1 funding law and to report to the joint standing committee of the Legislature having jurisdiction over telecommunications matters no later than January 15, 2009 regarding the collection of the E-9-1-1 surcharge on prepaid wireless telephone service and interconnected voice over Internet protocol service.

Enacted Law Summary

Public Law 2007, chapter 68 amends the law governing the funding of the E-9-1-1 system in the following ways.

1. It clarifies that prepaid wireless telephone service, as a type of cellular or wireless telecommunications service, is subject to the monthly statewide E-9-1-1 surcharge.
2. It specifies 3 methods for providers of prepaid wireless telephone service to collect the statewide E-9-1-1 surcharge as follows: (a) collect the surcharge from each customer whose account balance is equal to or greater than the amount of the surcharge, (b) collect the surcharge from the customer at the point of sale or (c) collect the surcharge indirectly by calculating the total surcharged owed by dividing its monthly intrastate revenue by average revenue per user and multiplying the result by the amount of the surcharge.
3. It adds interconnected voice over Internet protocol service as a type of telephone service subject to the statewide E-9-1-1 surcharge, and it amends the provision of the E-9-1-1 law regarding tort liability for telecommunications providers to grant interconnected voice over Internet protocol providers the same treatment as other telecommunications service providers.
4. It requires the Public Utilities Commission to adopt rules to implement the provisions of the E-9-1-1 funding law and to report to the joint standing committee of the Legislature having jurisdiction over telecommunications matters no later than January 15, 2009 regarding the collection of the E-9-1-1 surcharge on prepaid wireless telephone service and interconnected voice over Internet protocol service.

LD 593

Resolve, To Establish a Second Public Safety Answering Point for Kennebec County

INDEF PP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARRACHE	OTP-AM	

This resolve requires the Public Utilities Commission to amend the rules for the E-9-1-1 system to require 2 public safety answering points in Kennebec County and require that one of those points be located in Waterville. Under current rules, there may be no more than one public safety answering point in Kennebec County.

Committee Amendment "A" (S-152)

This amendment (not adopted) specifies that the requirement in the bill for 2 public safety answering points in Kennebec County, including one in Waterville, will be in effect until October 31, 2011.

The Joint Standing Committee on Utilities and Energy, by letter dated 6/20/07, requested that the Office of Program Evaluation and Government Accountability conduct an audit of the Department of Public Safety, Regional Communications Centers, with particular attention to the Central Maine Regional Communications Center.

Senate Amendment "B" (S-282)

This amendment (not adopted) eliminates the requirement that the Public Utilities Commission amend its rules to require 2 public safety answering points in Kennebec County and instead delays implementation of the consolidation of public safety answering points in Kennebec County until the resolution of issues concerning software

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compatibility and cost has been accomplished. This amendment requires the Public Utilities Commission within its existing resources to work with the Department of Public Safety and affected municipalities in Kennebec County to examine those issues and to report its findings and recommendations to the Joint Standing Committee on Utilities and Energy no later than January 1, 2008. The amendment authorizes the joint standing committee to submit legislation to the Second Regular Session of the 123rd Legislature.

Senate Amendment "C" (S-335)

This amendment (not adopted) eliminates the requirement that the Public Utilities Commission amend its rules to require 2 public safety answering points in Kennebec County and instead delays implementation of the consolidation of public safety answering points in Kennebec County until October 1, 2009. This amendment requires the Department of Public Safety within its existing resources to work with the Public Utilities Commission and affected municipalities in Kennebec County to examine issues concerning software compatibility and cost and other potential configurations. It requires the department to identify a mechanism to ensure that any savings that will accrue from consolidation of public safety answering points in Kennebec County are returned to the affected member municipalities. It also requires the department to report its findings and recommendations to the Joint Standing Committee on Utilities and Energy no later than January 1, 2008 and authorizes the joint standing committee to submit legislation to the Second Regular Session of the 123rd Legislature.

LD 627 An Act To Ensure Uniform Emergency Medical Dispatch Services in Maine

**PUBLIC 42
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RINES	OTP-AM	H-30

This bill clarifies the emergency medical dispatch (EMD) role of public safety answering points (PSAP) and requires state licensure for all persons and entities engaged in EMD. The current statute requires certification only for PSAPs and dispatchers who are employed by the PSAPs. This bill provides flexibility for PSAPs to enter into cooperative agreements with non-PSAPs to provide EMD services and ensures that non-PSAPs engaged in EMD do so in accordance with rules established by the Emergency Medical Services' Board.

Committee Amendment "A" (H-30)

This amendment eliminates a reference to January 1, 2007 in the bill to ensure that all provisions contained in the bill take effect upon the effective date of the legislation.

Enacted Law Summary

Public Law 2007, chapter 42 clarifies the emergency medical dispatch (EMD) role of public safety answering points (PSAP) and requires state licensure for all persons and entities engaged in EMD. This law provides flexibility for PSAPs to enter into cooperative agreements with non-PSAPs to provide EMD services and ensures that non-PSAPs engaged in EMD do so in accordance with rules established by the Emergency Medical Services' Board.

Public Law 2007, chapter 42 was enacted as an emergency measure effective April 10, 2007.

LD 645 An Act To Promote Municipal Energy Conservation

PUBLIC 66

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
EBERLE BARTLETT	OTP-AM	H-45