

MAINE STATE LEGISLATURE

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121st MAINE LEGISLATURE

FIRST REGULAR SESSION-2003

Legislative Document

No. 1148

H.P. 851

House of Representatives, March 4, 2003

Resolve, To Establish the Maine Networked Services Task Force

(EMERGENCY)

Reference to the Committee on Utilities and Energy suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative MILLS of Cornville.

2 **Emergency preamble.** Whereas, Acts and resolves of the
Legislature do not become effective until 90 days after
adjournment unless enacted as emergencies; and

4
6 **Whereas,** this resolve creates the Maine Networked Services
Task Force; and

8 **Whereas,** the study must be initiated before the 90-day
period expires in order that the study may be completed and a
report submitted in time for submission to the next legislative
session; and

12 **Whereas,** in the judgment of the Legislature, these facts
create an emergency within the meaning of the Constitution of
Maine and require the following legislation as immediately
necessary for the preservation of the public peace, health and
safety; now, therefore, be it

18 **Sec. 1. Task force established. Resolved:** That the Maine
Networked Services Task Force, referred to in this resolve as
"the task force," is established to conduct a study of the
electric transmission and distribution industry, the
telecommunications industry and the cable television industry in
the State in order to assess the degree to which these industries
are meeting the access, reliability, security and quality of
service requirements that the users require; and be it further

24 **Sec. 2. Task force membership. Resolved:** That the task force
consists of 19 members appointed as follows:

30 1. Two members appointed by the President of the Senate,
who must be members of the Joint Standing Committee on Utilities
and Energy;

34 2. Two members appointed by the Speaker of the House, who
must be members of the Joint Standing Committee on Utilities and
Energy;

38 3. Eleven members appointed by the Governor as follows:

40 A. One member representing investor-owned transmission and
42 distribution utilities;

44 B. One member representing investor-owned
telecommunications utilities;

46 C. One member representing cable television companies or
48 their affiliates doing business in Maine;

- 2 D. One member representing higher education interests;
- 4 E. One member representing small business customers;
- 6 F. One member representing large users of electricity;
- 8 G. One member representing large consumers of telecommunications services;
- 10 H. One member representing the Maine Municipal Association;
- 12 I. One member representing health care interests; and
- 14 J. Two members representing the interests of low-income or elderly customers; and
- 16 4. The following 4 members:
- 18 A. The Director of the State Planning Office within the Executive Department or the director's designee;
- 20 B. The Public Advocate or the Public Advocate's designee;
- 22 C. The Commissioner of Education or the commissioner's designee; and
- 24 D. The Chair of the Public Utilities Commission or the chair's designee; and be it further
- 26
- 28

30 **Sec. 3. Chairs. Resolved:** That the first-named Senate member is the Senate chair of the task force and the first-named House of Representatives member is the House chair of the task force; and be it further

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36 **Sec. 4. Appointments; convening of task force. Resolved:** That all appointments must be made no later than 30 days following the effective date of this resolve. The appointing authorities shall

38 notify the Executive Director of the Legislative Council once all appointments have been completed. Within 15 days after

40 appointment of all members, the chairs shall call and convene the first meeting of the task force; and be it further

42

44 **Sec. 5. Duties. Resolved:** That the task force shall:

- 46 1. Identify those services that are provided to businesses and residential consumers using electric, telecommunications and cable networks;
- 48

2 2. Establish performance standards for access, reliability,
3 security and quality for electric, telecommunications and cable
4 networks that meet or exceed consumer requirements and that are
5 in the public interest;

6 3. Determine the extent to which the electric,
7 telecommunications and cable networks are meeting the performance
8 standards;

10 4. Identify those areas, situations or conditions where the
11 electric, telecommunications and cable networks are not meeting
12 the performance standards;

14 5. Determine the extent to which the ownership of electric,
15 telecommunications and cable networks has become and may continue
16 to become more concentrated and assess the impact of increased
17 ownership concentration on investment in these networks and the
18 ability of these networks to meet the performance standards;

20 6. Evaluate the economic and social consequences to Maine
21 businesses, residential consumers, workers, governmental
22 institutions and other entities and the State as a whole of the
23 failure of electric, telecommunications and cable networks to
24 meet the performance standards;

26 7. Develop strategies, public policy initiatives, programs,
27 rules and regulations or other methods to ensure that electric,
28 telecommunications and cable networks meet the performance
29 standards;

30 8. Evaluate how performance standards will likely change
31 over time as society becomes increasingly dependent on network
32 services and whether the institutions, organizations or companies
33 that own and manage electric, telecommunications and cable
34 networks can meet these performance standards; and

35 9. Prepare a final report to the Legislature that will
36 include findings and recommendations on these matters; and be it
37 further

38 **Sec. 6. Staff assistance. Resolved:** That, upon approval of the
39 Legislative Council, the Office of Policy and Legal Analysis
40 shall provide necessary staffing services to the task force; and
41 be it further

42 **Sec. 7. Compensation. Resolved:** That the legislative members
43 of the task force are entitled to the legislative per diem, as
44 defined in the Maine Revised Statutes, Title 3, section 2, and
45 reimbursement for travel and other necessary expenses related to

2 their attendance at authorized meetings of the task force.
3 Public members not otherwise compensated by their employers or
4 other entities that they represent are entitled to receive
5 reimbursement of necessary expenses and, upon a demonstration of
6 financial hardship, a per diem equal to the legislative per diem
7 for their attendance at authorized meetings of the task force;
8 and be it further

9
10 **Sec. 8. Report. Resolved:** That, no later than December 1,
11 2003, the task force shall submit a report that includes its
12 findings and recommendations, including suggested legislation,
13 for presentation to the Joint Standing Committee on Utilities and
14 Energy and the Legislative Council. The task force is authorized
15 to introduce legislation. Following receipt and review of the
16 report, the Joint Standing Committee on Utilities and Energy may
17 report out a bill to the Second Regular Session of the 121st
18 Legislature; and be it further

19
20 **Sec. 9. Extension. Resolved:** That, if the task force requires
21 a limited extension of time to complete its study and make its
22 report, it may apply to the Legislative Council, which may grant
23 an extension; and be it further

24 **Sec. 10. Task force budget. Resolved:** That the chairs of the
25 task force, with assistance from the task force staff, shall
26 administer the task force's budget. Within 10 days after its
27 first meeting, the task force shall present a work plan and
28 proposed budget to the Legislative Council for its approval. The
29 task force may not incur expenses that would result in the task
30 force's exceeding its approved budget. Upon request from the
31 task force, the Executive Director of the Legislative Council
32 shall promptly provide the task force chairs and staff with a
33 status report on the task force budget, expenditures incurred and
34 paid and available funds.

35 **Emergency clause.** In view of the emergency cited in the
36 preamble, this resolve takes effect when approved.
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40 SUMMARY

41 This resolve establishes the Maine Networked Services Task
42 Force to study and evaluate the delivery system for networked
43 services such as telecommunications, Internet service, cable
44 television services and electricity.
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