

# MAINE STATE LEGISLATURE

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**STATE OF MAINE  
118TH LEGISLATURE**

**FIRST REGULAR SESSION  
AND  
FIRST SPECIAL SESSION**

**BILL SUMMARIES  
JOINT STANDING COMMITTEE  
ON  
UTILITIES AND ENERGY**

**JULY 1997**

**MEMBERS:**

*Sen. Richard J. Carey, Chair*

*Sen. John J. Cleveland*

*Sen. Philip E. Harriman*

*Rep. Kyle W. Jones, Chair*

*Rep. Carol A. Kontos*

*Rep. Ronald E. Usher*

*Rep. Gary O'Neal*

*Rep. Patrick Colwell*

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*Rep. John W. Vedral*

**Staff:**

*Jon Clark, Legislative Analyst*

*Office of Policy and Legal Analysis  
Room 101/107/135, 13 State House Station  
Augusta, ME 04333  
(207)287-1670*



**Maine State Legislature**  
**OFFICE OF POLICY AND LEGAL ANALYSIS**

13 State House Station, Augusta, Maine 04333-0013  
 Telephone: (207) 287-1670  
 Fax: (207) 287-1275

**ONE HUNDRED EIGHTEENTH LEGISLATURE**  
**FIRST REGULAR AND FIRST SPECIAL SESSIONS**

**Summary Of Legislation Before The Joint Standing Committees**  
**August 1997**

We are pleased to provide this summary of bills that were considered by the 15 Joint Standing Committees of the Maine Legislature staffed by this office. The document is a compilation of bill summaries which describe each bill, committee amendments and other relevant amendments, as well as the final action taken on the bill. 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 handled by the joint standing committees. It is organized alphabetically 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. Two indices, a subject index and a numerical index by LD number are provided for easy reference to bills. They are located 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](http://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:

<i>CARRIED OVER</i> .....	<i>Bill carried over to Second Regular Session</i>
<i>CON RES XXX</i> .....	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>CONF CMTE UNABLE TO AGREE</i> .....	<i>Committee of Conference unable to agree; bill died</i>
<i>DIED BETWEEN BODIES</i> .....	<i>House &amp; Senate disagree; bill died</i>
<i>DIED IN CONCURRENCE</i> .....	<i>One body accepts ONTP report; the other indefinitely postpones the bill</i>
<i>DIED ON ADJOURNMENT</i> .....	<i>Action incomplete when session ended; bill died</i>
<i>EMERGENCY</i> .....	<i>Enacted law takes effect sooner than 90 days</i>
<i>FAILED EMERGENCY ENACTMENT/FINAL PASSAGE</i> .....	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED ENACTMENT/FINAL PASSAGE</i> .....	<i>Bill failed to get majority vote</i>
<i>FAILED MANDATE ENACTMENT</i> .....	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>INDEF PP</i> .....	<i>Bill Indefinitely Postponed</i>
<i>ONTP</i> .....	<i>Ought Not To Pass report accepted</i>
<i>OTP ND</i> .....	<i>Committee report Ought To Pass In New Draft</i>
<i>OTP ND/NT</i> .....	<i>Committee report Ought To Pass In New Draft/New Title</i>
<i>P&amp;S XXX</i> .....	<i>Chapter # of enacted Private &amp; Special Law</i>
<i>PUBLIC XXX</i> .....	<i>Chapter # of enacted Public Law</i>
<i>RESOLVE XXX</i> .....	<i>Chapter # of finally passed Resolve</i>
<i>UNSIGNED</i> .....	<i>Bill held by Governor</i>
<i>VETO SUSTAINED</i> .....	<i>Legislature failed to override Governor's Veto</i>

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 26, 1997 and September 19, 1997 for the First Special Session.

*David E. Boulter, Director*  
 Offices Located in the State House, Rooms 101/107/135

LD 919 proposed to require the Public Utilities Commission to revise the NYNEX Schools and Libraries Project to permit any school participating in the project to choose the nature of the equipment and services that it receives and to choose to convert any portion of cost of equipment or services that it is eligible to receive under the project into a reduced telephone rate.

**LD 928**                      **An Act to Deregulate Intrastate Long-distance Calling**                      **ONTP**

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

LD 928 proposed to require the Public Utilities Commission to adopt rules deregulating intrastate interexchange telecommunications service.

**LD 935**                      **An Act to Increase the Debt Limit of the Waldoboro Utility District**                      **P & S 18 EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SPEAR KILKELLY	OTP-AM	H-178

LD 935 proposed to raise the debt limit of the Waldoboro Utility District from \$1,000,000 to \$2,000,000 and to remove obsolete language from the charter.

**Committee Amendment "A" (H-178)** proposed to add a mandate preamble and to modify the question to more accurately reflect the changes to the Waldoboro Utility District charter that are made by the bill.

**Enacted law summary**

Private and Special Law 1997, chapter 18 raises the debt limit of the Waldoboro Utility District from \$1,000,000 to \$2,000,000. The bill also removes obsolete language from the charter. The law is effective on May 12, 1997 for the purposes of allowing it to be put out for local referendum approval.

**LD 976**                      **An Act to Amend the Enhanced 9-1-1 Laws**                      **PUBLIC 291**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KONTOS	OTP-AM    MAJ OTP-AM    MIN	H-355 S-224   CAREY

LD 976 proposed to amend the laws governing the E-9-1-1 system as follows:

1. Increase the membership of the E-9-1-1 Council from 15 to 17 members by adding a county official and a representative of the cellular or wireless service providers;

2. Define the confidentiality of E-9-1-1 databases and information received from callers by public safety answering points;
3. Provide immunity to entities and personnel within the E-9-1-1 system; and
4. Create a prohibition against repeated dialing of the emergency 9-1-1 number for nonemergency matters.

**Committee Amendment "A" (H-355)**, the majority report of the committee, proposed the following:

1. To cross-reference the immunity provided under the Maine Tort Claims Act that is available to government entities and to remove the provisions of the bill proposing to grant immunity to any other person or entity associated with the E-9-1-1 system;
2. To change the confidentiality provisions of the bill to provide that the following information contained in any database, report, audio recording or other record of the Emergency Services Communication Bureau or a public safety answering point is confidential and is subject to limited disclosure:
  - A. The names, addresses and telephone numbers of persons listed in E-9-1-1 databases;
  - B. Customer information, described in the Maine Revised Statutes, Title 35-A, section 7501, subsection 1, that is omitted from a telephone utility directory list at the request of a customer;
  - C. The name, address and telephone number of a caller to a public safety answering point; and
  - D. The name, address, telephone number and any medical information about a person receiving emergency services through the E-9-1-1 system.
3. To provide that audio recordings of emergency calls to the E-9-1-1 system are confidential and subject to limited disclosure, including pursuant to a court order on a finding of good cause. Nonconfidential information contained in those audio recordings would be disclosed in transcript form.

**Committee Amendment "B" (H-356)**, the minority report of the committee proposed the same changes to the bill that the majority report proposed, except that it did not propose to make the audio recordings of E-9-1-1 calls confidential.

**Senate Amendment "A" to Committee Amendment "A" (S-205)** proposed to limit liability for cellular and wireless telecommunications service providers.

**Senate Amendment "B" to Committee Amendment "A" (S-224)** proposed to limit the liability of a cellular or wireless telecommunications provider to the same extent that a local exchange carrier's liability is deemed to be limited pursuant to the provisions of a tariff or schedule agreement.

#### *Enacted law summary*

Public Law 1997, chapter 291:

1. Cross-references the immunity provided under the Maine Tort Claims Act that is available to government entities. Immunity is not granted to any other person or entity associated with the E-9-1-1 system.
2. Provides that the following information contained in any database, report, audio recording or other record of the Emergency Services Communication Bureau or a public safety answering point is confidential and is subject to limited disclosure:
  - A. The names, addresses and telephone numbers of persons listed in E-9-1-1 databases;
  - B. Customer information, described in the Maine Revised Statutes, Title 35-A, section 7501, subsection 1, that is omitted from a telephone utility directory list at the request of a customer;
  - C. The name, address and telephone number of a caller to a public safety answering point; and
  - D. The name, address, telephone number and any medical information about a person receiving emergency services through the E-9-1-1 system.
3. Provides that audio recordings of emergency calls to the E-9-1-1 system are confidential and subject to limited disclosure, including pursuant to a court order on a finding of good cause. Nonconfidential information contained in those audio recordings must be disclosed in transcript form.
4. Increases the membership of the E-9-1-1 Council from 15 to 17 members by adding a county official and a representative of the cellular or wireless service providers;
5. Creates a prohibition against repeated dialing of the emergency 9-1-1 number for nonemergency matters.
6. Limits the liability of a cellular or wireless telecommunications provider to the same extent that the liability of a local exchange carrier that processes the transmission of the E-9-1-1 service is limited pursuant to the provisions of a standard tariff or schedule agreement.

**LD 1037**

**An Act to Modify the Prohibition against Bathing in Sebago Lake within 2 Miles of the Intakes of the Portland Water District**

**ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MACK	ONTP MAJ	
O'GARA	OTP MIN	

Current law prohibits bathing in Sebago Lake within 2 miles of the intakes of the Portland Water District. LD 1037 proposed to provide an exception for certain persons whose properties abut the lake within two miles of the intakes.