

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals  
(may include minor formatting differences from printed original)

**STATE OF MAINE  
119TH LEGISLATURE**

**FIRST REGULAR SESSION**

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

**JULY 1999**

***MEMBERS:***

*Sen. Richard J. Carey, Chair*

*Sen. Carol A. Kontos*

*Sen. Betty Lou Mitchell*

*Rep. Thomas M. Davidson, Chair*

*Rep. Patrick Colwell*

*Rep. Charles C. LaVerdiere*

*Rep. Bruce S. Bryant*

*Rep. Monica McGlocklin*

*Rep. William R. Savage*

*Rep. Donald P. Berry, Sr.*

*Rep. Harry G. True*

*Rep. Richard H. Duncan*

*Rep. Richard W. Rosen*

***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 NINETEENTH LEGISLATURE**  
**FIRST REGULAR SESSION**

**Summary Of Legislation Before The Joint Standing and Select Committees**  
**August 1999**

We are pleased to provide this summary of all bills that were considered by the Joint Standing and 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 and select 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. 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:

*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  
*ENACTMENT FAILED*..... Bill failed to get vote required for enactment or final passage  
*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 September 18, 1999.

**LD 541****An Act to Clarify the Jurisdiction of the Public Utilities Commission with  
Regard to Wireless Carriers****PUBLIC 60  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAVIDSON CAREY	OTP-AM	H-57 S-27 CAREY

LD 541 proposed to grant the Public Utilities Commission limited jurisdiction over radio paging and mobile telecommunications services. It proposed to require radio paging and mobile telecommunication service providers to comply with any central office code conservation measures adopted by the commission that may be necessary to prevent or delay the adoption of a second area code for the State. The bill also proposed to clarify the commission's jurisdiction to require mobile telecommunications service providers to participate in state universal service efforts, including assessments toward a state universal service fund. This bill was submitted on behalf of the Public Utilities Commission.

**Committee Amendment "A" (H-57)** proposed to reallocate the provisions of the bill to more appropriate sections of the Maine Revised Statutes. The amendment proposed no substantive changes to the provisions of the bill.

**Senate Amendment "A" to Committee Amendment "A" (S-27)** proposed to make the bill an emergency effective immediately upon enactment.

***Enacted law summary***

Public Law 1999, chapter 60 grants the Public Utilities Commission limited jurisdiction over radio paging and mobile telecommunications services. It requires radio paging and mobile telecommunication service providers to comply with any central office code conservation measures adopted by the commission that may be necessary to prevent or delay the adoption of a second area code for the State. The bill also clarifies the commission's jurisdiction to require mobile telecommunications service providers to participate in state universal service efforts, including assessments toward a state universal service fund.

Chapter 60 was enacted as an emergency measure effective April 9, 1999.

**LD 551****An Act to Amend the Lien Enforcement Procedure for the Topsham  
Sewer District****P & S 6**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TRIPP SMALL	OTP-AM	H-58

LD 551 proposed to change the lien procedure for the Topsham Sewer District to allow the enforcement of a lien any time after three months and before 18 months from the due date of any charge or assessment for which the district has a lien.

**Committee Amendment "A" (H-58)** proposed to clarify that the changes made by the bill to the Topsham Sewer District Charter regarding enforcement by the district of liens apply to liens for unpaid assessments due after the effective date of this bill.

***Enacted law summary***

Private and Special Law 1999, chapter 6 changes the lien procedure for the Topsham Sewer District to allow the enforcement of a lien any time after three months and before 18 months from the due date of any charge or assessment for which the district has a lien. The enforcement of liens for assessments due prior to the effective date of the bill are governed by the law in effect at the time the assessment came due.

**LD 553**                      **An Act to Amend the Charter of the Kennebec Water District**                      **CARRIED OVER**

<u>Sponsor(s)</u> GAGNON CAREY		<u>Committee Report</u>		<u>Amendments Adopted</u>
--------------------------------------	--	-------------------------	--	---------------------------

LD 553 proposes to amend the charter of the Kennebec Water District to clarify provisions relating to trustee compensation and to restrict the outside activities of trustees in order to reduce potential conflicts of interest.

**LD 554**                      **An Act to Provide Affordable Computer-based Information Networks**                      **ONTP**

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

LD 554 proposed to provide that any telephone call made within a flat-rate, basic service calling area that is carried beyond the basic service calling area for the purpose of accessing the Internet or other computer-based information network is deemed to have terminated within the basic service calling area and the customer making the call must be billed at the basic service flat rate. The bill proposed to direct the Public Utilities Commission to adopt rules implementing this provision.

**LD 570**                      **An Act Relating to the Protection of Maine Consumers in the Telecommunications Market**                      **PUBLIC 59 EMERGENCY**

<u>Sponsor(s)</u> DAVIDSON CAREY		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-56
--	--	-----------------------------------	--	-----------------------------------

LD 570 proposed to grant the Public Utilities Commission authority to protect the State's telecommunications consumers from the practice of "cramming." Cramming occurs when charges for an unauthorized service are placed on a consumer's telephone bill. The bill proposed to require a telephone utility to suspend collection efforts when a consumer alleges that a charge is unauthorized. Unless the provider of the service produced verification that the service was authorized by the consumer, the telephone utility would be required to remove the charges and refund any prior payments for that service. The bill also proposed to authorize the commission to protect consumers through imposition of an administrative fine on telecommunications utilities for violating a telecommunications consumer protection statute, rule or commission order. This bill was submitted on behalf of the Public Utilities Commission.

**Committee Amendment "A" (H-56)** proposed to replace the bill. The amendment proposed a series of changes to laws relating to the protection of Maine consumers in the telecommunications market.

***Enacted law summary***