

MAINE STATE LEGISLATURE

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**STATE OF MAINE
119TH LEGISLATURE**

FIRST REGULAR SESSION

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

JULY 1999

MEMBERS:

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Sen. Carol A. Kontos

Sen. Betty Lou Mitchell

Rep. Thomas M. Davidson, Chair

Rep. Patrick Colwell

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Rep. Richard W. Rosen

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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).

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.

Public Law 1999, chapter 59:

1. Requires service providers who bill for their services on a telephone utility's telephone bill to be registered with the Public Utilities Commission;
2. Requires billing aggregators who forward service provider's charges to telephone utilities for inclusion on the utilities' bills to be registered with the commission;
3. Exempts telephone utilities who are authorized to provide telephone service in Maine from the registration requirements;
4. Permits the Public Utilities Commission to revoke the registration of a service provider who charges customers for services not authorized by the customers or who engages in other false or deceptive practices;
5. Permits the Public Utilities Commission to revoke the registration of a billing aggregator who forwards charges of unregistered service providers to a telephone utility for inclusion on a customer's bill;
6. Requires billing agents, such as telephone utilities that bill on behalf of service providers, upon receiving a complaint from a customer, to suspend collecting for unauthorized services. The billing agent is required either to obtain evidence from the service provider that the services are in fact authorized or to remove the charges from the customer's bill and refund to the customer amounts paid during the prior six months or during any longer period during which the customer can prove the customer was billed;
7. Authorizes the Public Utilities Commission to impose administrative penalties of up to \$1,000 per violation for service providers who engage in cramming, service providers or billing agents who are not properly registered, billing agents who knowingly bill on behalf of unregistered service providers and billing agents that fail to comply with the procedures governing the handling of customer complaints regarding unauthorized services;
8. Requires the Public Utilities Commission to adopt routine technical rules implementing these provisions; the commission is required to submit its rules to the Joint Standing Committee on Utilities and Energy by January 1, 2000; and the committee is authorized to report out legislation on cramming; and
9. Prohibits the commission from enforcing any of these provisions until it adopts rules implementing the provisions.

Chapter 59 was enacted as an emergency measure effective April 9, 1999.

LD 580

An Act to Clarify the Voting Rights of Persons Residing in Certain Sanitary Districts

**PUBLIC 299
EMERGENCY**

Sponsor(s)
GOLDTHWAIT

Committee Report
OTP-AM

Amendments Adopted
S-260

LD 580 proposed to provide that for any sanitary district whose territory does not extend beyond the boundaries of a single municipality and whose territory encompasses less than the entire area of the municipality:

1. Trustees must be elected at large by a plurality vote of the voters within the territory of the district; and
2. Trustees must be residents of the district.

Committee Amendment "A" (S-260) proposed to change the substance of the bill to provide that for any sanitary district whose territory does not extend beyond the boundaries of a single municipality and whose territory encompasses less than the entire area of the municipality all trustees must be residents of the municipality and a majority of the trustees must be residents of the district.

Enacted law summary

Public Law 1999, chapter 299 provides that for any sanitary district whose territory does not extend beyond the boundaries of a single municipality and whose territory encompasses less than the entire area of the municipality all trustees must be residents of the municipality and a majority of the trustees must be residents of the district. It also provides that trustees must be elected at large by a plurality vote of the voters within the territory of the district.

Chapter 299 was enacted as an emergency measure effective May 24, 1999.

LD 581 **Resolve, to Ensure Proper Funding of the Public Utilities Commission** **RESOLVE 19
EMERGENCY**

<u>Sponsor(s)</u> CAREY	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> S-90
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LD 581 proposed to permit the Public Utilities Commission to roll over into the following fiscal year 100% of any unexpended funds remaining at the end of both the 1999-00 fiscal year and the 2000-01 fiscal year. This bill was submitted on behalf of the Public Utilities Commission.

Committee Amendment "A" (S-90) proposed to provide funding for a limited-period Utility Analyst at the Public Utilities Commission to serve as a natural gas pipeline safety inspector.

Enacted law summary

Resolve 1999, chapter 19 permits the Public Utilities Commission to roll over into the following fiscal year 100% of any unexpended funds remaining at the end of both the 1999-00 fiscal year and the 2000-01 fiscal year. It also provides funding for a limited-period Utility Analyst at the Public Utilities Commission to serve as a natural gas pipeline safety inspector.

Chapter 19 was enacted as an emergency measure effective May 4, 1999.

LD 635 **An Act to Amend the Electric Industry Restructuring Law** **ONTP**

<u>Sponsor(s)</u> CAREY	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 635 proposed to amend the electric industry restructuring law by eliminating the 100 megawatts criteria for hydroelectric generators so that all hydroelectric generators qualify as renewable resources, regardless of their total power production capacity.

The renewable resource portfolio requirement was changed in LD 2154.