

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

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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.

LD 894 proposed to extend the Public Advocate's authority to require and publish rate comparisons for industries experiencing competition for utility service, such as the electricity marketing and natural gas industries, and to require the Public Utilities Commission and the Public Advocate to jointly specify the format for information provided by utilities for this purpose. This bill was submitted on behalf of the Office of the Public Advocate.

LD 907 **An Act to Facilitate the Transition to Electric Utility Competition** **ONTP**

<u>Sponsor(s)</u> CAREY		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 907 proposed to allow utilities the flexibility to phase in the transition to a competitive generation market during the month of March 2000.

LD 1057 **Resolve, Directing the Public Utilities Commission to Investigate Whether Internet Traffic Should Be Classified as Local or Toll** **ONTP**

<u>Sponsor(s)</u> CAREY		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1057 proposed to require the Public Utilities Commission to investigate whether internet traffic should be classified as local or toll traffic.

LD 1185 **Resolve, to Establish the Energy Policy Commission** **INDEF PP**

<u>Sponsor(s)</u> O'NEIL		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u>
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LD 1185 proposed to establish a Renewable Energy Policy Commission to develop a state renewable energy policy that promotes energy self-reliance and emphasizes low-impact electric power generation and distribution.

Committee Amendment "A" (H-254) proposed to replace the resolve and establish an Energy Policy Commission. The purpose of the commission would be to develop a state energy policy in the context of the restructuring of the electric industry. This report was accepted by both bodies although the bill was subsequently indefinitely postponed.

LD 1194 **Resolve, Relating to Basic Service Calling Areas** **RESOLVE 32**

<u>Sponsor(s)</u> LONGLEY		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-337 DAVIDSON S-91
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LD 1194 proposed to require the Public Utilities Commission, on petition, to expand a basic service calling area that encompasses only a single exchange.

Committee Amendment "A" (S-91) proposed to replace the bill with a resolve and to change the title. The amendment proposed to direct the Public Utilities Commission to undertake an examination of single-exchange, flat-rate, basic service calling areas and to develop proposals for expanding those areas. The commission would be required to report its findings and proposals to the Joint Standing Committee on Utilities and Energy and the committee would be authorized to report out legislation concerning basic service calling areas to the Second Regular Session of the 119th Legislature.

House Amendment "A" to Committee Amendment "A" (H-337) proposed to change the reporting date in the committee amendment.

Enacted law summary

Resolve 1999, chapter 32 directs the Public Utilities Commission to undertake an examination of single-exchange, flat-rate, basic service calling areas and to develop proposals for expanding those areas. The commission must report its findings and proposals to the Joint Standing Committee on Utilities and Energy and the committee is authorized to report out legislation concerning basic service calling areas to the Second Regular Session of the 119th Legislature.

LD 1208

An Act to Amend the Enhanced 9-1-1 Laws

**PUBLIC 80
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KONTOS MADORE	OTP-AM	S-47

LD 1208 proposed to prohibit persons, after being forbidden to do so, from using a device that dials 9-1-1 and transmits a prerecorded message to a public safety answering point. This bill also proposed to provide for the alphabetical naming of unorganized territories by the county commissioners. This bill was submitted on behalf of the Department of Public Safety.

Committee Amendment "A" (S-47) proposed to replace the bill but to preserve, with changes, the substance of that portion of the bill that creates a new offense under the E-9-1-1 laws. As in the bill, under this amendment a person would be guilty of misuse of the E-9-1-1 system if without reasonable cause the person, after having been forbidden to do so by a public safety answering point manager or administrator or a law enforcement officer, causes telephone calls to be made to a public safety answering point using an alarm or other alerting device that automatically dials 9-1-1 and transmits a prerecorded signal or message. A first offense would be a civil infraction; any subsequent offense a Class E crime.

Enacted law summary

Public Law 1999, chapter 80 provides that a person is guilty of misuse of the E-9-1-1 system if without reasonable cause the person, after having been forbidden to do so by a public safety answering point manager or administrator or a law enforcement officer, causes telephone calls to be made to a public safety answering point using an alarm or other alerting device that automatically dials 9-1-1 and transmits a prerecorded signal or message. A first offense is a civil infraction; any subsequent offense is a Class E crime.

While chapter 80 includes an emergency preamble and emergency clause, no provision of the law takes effect as an emergency. The emergency clause relates to sections of the original bill that were stripped by the committee amendment. Due to a technical error, the emergency clause was not deleted in the finally enacted law. Chapter 80 is not, in fact, an emergency; it takes effect in the same manner as other non-emergency legislation.