

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

Rep. Charles C. LaVerdiere

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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 2161

An Act to Prohibit a Telephone Utility from Charging a Toll-call Rate for a Telephone Call Made from a Municipality to a Point in that same Municipality

ONTP

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

LD 2161 proposed to prohibit a telephone utility from charging a toll-call rate for a telephone call made from a municipality to a point in that same municipality.

LD 2164

An Act to Enhance Access to Technology for Maine Schools and Libraries

PUBLIC 409

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAVIDSON TREAT	OTP-AM	H-594

LD 2164 proposed to require that telecommunications carriers contribute to a telecommunications education access fund. The bill proposed to give the commission responsibility to administer the fund and allocate funds to qualified libraries and qualified schools based upon specific criteria.

This bill proposed to allocate funds to this new program from the current Public Utilities Commission Schools and Libraries Network program.

Committee Amendment "A" (H-594) proposed to lower the cap on the assessment from 1.5% of intrastate revenues to 0.5% of retail revenues for telecommunications services, excluding interstate tolls or interstate private line services. The amendment proposed to require the Public Utilities Commission to periodically review the assessments to ensure that they are assessed in a competitively neutral manner by capturing all 2-way interactive communications services comparable to those offered by telecommunications carriers.

This amendment proposed to remove the section from the bill which allocated moneys associated with the Public Utilities Commission's current Schools and Library Network Program to the program proposed by the bill. The amend proposed to delay the implementation of the new program until July 1, 2001, after the current Public Utilities Commission program regarding schools and libraries terminates.

The amendment proposed to require the commission to integrate the collection of charges for the program with any universal service fund developed by the commission. The amendment also proposed to require the commission to require carriers to identify on customer bills contributions to the program.

Enacted law summary

Public Law 1999, chapter 409 requires that telecommunications carriers contribute to a telecommunications education access fund. The law gives the commission responsibility to administer the fund and allocate funds to qualified libraries and qualified schools based upon specific criteria.

The assessment is limited to no more than 0.5% of retail revenues for telecommunications services, excluding interstate tolls or interstate private line services. The Public Utilities Commission is required periodically to review the assessments to ensure that they are assessed in a competitively neutral manner by capturing all 2-way interactive communications services comparable to those offered by telecommunications carriers.

This education access fund program does not begin until July 1, 2001, after the current Public Utilities Commission program regarding schools and libraries terminates.

The commission is required to integrate the collection of charges for the program with any universal service fund developed by the commission. The commission must require identification on customer bills of contributions to the program, which is the same requirement imposed under existing law with respect to universal service fund charges. Pursuant to the Maine Revised Statutes, Title 35-A, section 7104, the fund for the program will be administered by an independent fiscal agent, and funds in the fund will be dedicated to the purposes of the program and not be state funds.

LD 2193

An Act to Allow the Fort Kent Utility District to be Dissolved and Combined With the Town of Fort Kent

**P & S 24
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARTIN PARADIS	OTP	

LD 2193 proposed to allow the Fort Kent Utility District to be dissolved and the Town of Fort Kent take over the district's duties.

Enacted law summary

Private and Special Law 1999, chapter 24 authorizes the Fort Kent Utility District to be dissolved and the Town of Fort Kent take over the district's duties. These authorizations are subject to approval in a local referendum.

Chapter 24 was enacted as an emergency measure effective May 20, 1999.

SP 709

Joint Order Relative to the Task Force to Study the E-911 System

CARRIED OVER

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

SP 709, a Joint Order, proposes to create a Task Force to Study the E-9-1-1 System. The purpose of the Task Force is to assess the use of the E-9-1-1 system including an analysis of the implementation of the system and the difficulties encountered by municipalities in using the system.

HP 1583

Joint Order Relative to the Committee on Sawmill Biomass

PASSED

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAVIDSON KONTOS		S-451

HP 1583, a Joint Order, proposed to create the Committee on Sawmill Biomass.