

MAINE STATE LEGISLATURE

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*State Of Maine
120th Legislature*

First Regular Session

Bill Summaries

*Joint Standing Committee
on
Utilities and Energy*

August 2001

Members:

*Sen. Norman K. Ferguson, Chair
Sen. Sharon Anglin Treat
Sen. David L. Carpenter*

*Rep. William R. Savage, Chair
Rep. Monica McGlocklin
Rep. Albion D. Goodwin*

Rep. Lawrence Bliss

Rep. Christopher G. L. Hall

Rep. Peter L. Rines

Rep. Donald P. Berry, Sr.

Rep. Richard H. Duncan

Rep. Royce W. Perkins

Rep. Richard A. Crabtree

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Maine State Legislature
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120th Legislature
First Regular Session

Summary Of Legislation Before The Joint Standing Committees
August 2001

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing 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 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
FAILED EMERGENCY ENACTMENT/FINAL PASSAGE.....	Emergency bill failed to get 2/3 vote
FAILED ENACTMENT/FINAL PASSAGE.....	Bill failed to get majority vote
FAILED MANDATE ENACTMENT.....	Bill imposing local mandate failed to get 2/3 vote
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 21, 2001**.

David E. Boulter, Director
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Joint Standing Committee on Utilities and Energy

LD 1162

An Act to Ensure Telecommunications Protections for Deaf and Hard-of-hearing People

PUBLIC 377

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TREAT SAVAGE W	OTP-AM	S-227

Under current law, telephone utilities must provide a 70% rate reduction for intrastate toll calls made on lines used for making calls from certified deaf, hard-of-hearing or speech-impaired persons who must rely on teletypewriters for residential telephone communications. The 70% rate reduction also applies to calls using the state telecommunications relay service. Upon request, this discount is also provided to any noncertified user making calls to a certified user, provided the noncertified user informs the local exchange carrier or toll provider of the relevant billed calls made during each billing period.

LD 1162 proposed to extend these same discounts to charges imposed by cellular or wireless telecommunications service providers.

Committee Amendment "A" (S-227) proposed to replace the bill. This amendment proposed to establish an equal access program to ensure that telecommunications services are available to deaf, hard-of-hearing and speech-impaired consumers at a cost that is reasonably comparable to the cost of such services to other telephone customers. The equal access program would be established in the Division of Deafness within the Department of Labor. The program would provide a 70% rebate of the cost of those calls made using wireless or cellular services that are presently provided a 70% discount when made over landline services. The program would be funded by an assessment on wireless and cellular service providers.

The program would be repealed October 31, 2005.

The amendment also proposed to add equipment necessary to use short message services or text message services to the definition of "specialized customer telecommunications equipment" for the purposes of the telecommunications equipment fund. This will would allow that fund to be used to purchase such equipment for deaf, hard-of-hearing or speech-impaired persons.

This amendment also proposed to add a representative of a wireless or cellular service provider to the membership of the Telecommunications Relay Service Advisory Council.

The amendment also proposed to add a fiscal note to the bill.

Enacted law summary

Public Law 2001, chapter 377 establishes an equal access program to ensure that telecommunications services are available to deaf, hard-of-hearing and speech-impaired consumers at a cost that is reasonably comparable to the cost of such services to other telephone customers. The equal access program is established in the Division of Deafness within the Department of Labor. The program provides a 70% rebate of the cost of those calls made using wireless or cellular services that are presently provided a 70% discount when made over landline services. The program is funded by an assessment on wireless and cellular service providers.

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The program is repealed October 31, 2005.

The law also adds equipment necessary to use short message services or text message services to the definition of "specialized customer telecommunications equipment" for the purposes of the telecommunications equipment fund. This will allow that fund to be used to purchase such equipment for deaf, hard-of-hearing or speech-impaired persons.

The law also adds a representative of a wireless or cellular service provider to the membership of the Telecommunications Relay Service Advisory Council.

LD 1229 **An Act to Assist the State's Ski Industry through the Provision of Special Electric Rate Contracts** **ONTP**

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

LD 1229 proposed to prohibit the use of different engineering, equipment, fuel and other cost assumptions for potential special rate contract customers who are similarly situated and prohibit unreasonable discrimination for or against particular customers. This bill also proposed to require renewal of special rate contracts when, if the alternative electricity or energy source originally available to the customer had been relied on, it would still be available to the customer following the expiration of the original special rate contract.

LD 1297 **An Act to Ensure Proper Funding of the Public Utilities Commission** **PUBLIC 136
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAVAGE W	OTP-AM	H-121

LD 1297 proposed to authorize the Public Utilities Commission to release funds designated for salaries and to use them for other commission expenses and to make all funds that were budgeted but unused in fiscal year 2000-01 available for use in the subsequent 2 fiscal years. The bill also proposed to increase the public utilities assessment for fiscal years 2001-02 and 2002-03.

Committee Amendment "A" (H-121) proposed to add a fiscal note to the bill.