

MAINE STATE LEGISLATURE

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*State Of Maine
121st Legislature*

First Regular Session

Bill Summaries

*Joint Standing Committee
on
Utilities and Energy*

July 2003

Members:

*Sen. Christopher G. L. Hall, Chair
Sen. Lynn Bromley
Sen. Edward M. Youngblood*

*Rep. Lawrence Bliss, Chair
Rep. Herbert Adams
Rep. Albion D. Goodwin
Rep. Peter L. Rines*

*Rep. Jacqueline A. Lundeen
Rep. Donald P. Berry, Sr.
Rep. Philip A. Cressey, Jr.
Rep. Kenneth C. Fletcher
Rep. Stanley A. Moody
Rep. Maitland E. Richardson*

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Maine State Legislature



Office Of Policy And Legal Analysis Office Of Fiscal And Program Review

121st Maine Legislature First Regular Session

Summary Of Legislation Before The Joint Standing Committees

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing and joint 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 arranged alphabetically by committee name 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:

<i>CARRIED OVER PURSUANT TO HP 1212</i>	<i>Bills carried over to the 2nd Regular Session</i>
<i>CON RES XXX</i>	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>CONF CMTE UNABLE TO AGREE</i>	<i>Committee of Conference unable to agree; bill died</i>
<i>DIED BETWEEN BODIES</i>	<i>House & Senate disagree; bill died</i>
<i>DIED IN CONCURRENCE</i>	<i>One body accepts ONTP report; the other indefinitely postpones the bill</i>
<i>DIED ON ADJOURNMENT</i>	<i>Action incomplete when session ended; bill died</i>
<i>EMERGENCY</i>	<i>Enacted law takes effect sooner than 90 days</i>
<i>FAILED EMERGENCY ENACTMENT/FINAL PASSAGE</i>	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED ENACTMENT/FINAL PASSAGE</i>	<i>Bill failed to get majority vote</i>
<i>FAILED MANDATE ENACTMENT</i>	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>NOT PROPERLY BEFORE THE BODY</i>	<i>Ruled out of order by the presiding officers; bill died</i>
<i>INDEF PP</i>	<i>Bill Indefinitely Postponed</i>
<i>ONTP</i>	<i>Ought Not To Pass report accepted</i>
<i>OTP-ND</i>	<i>Committee report Ought To Pass In New Draft</i>
<i>P&S XXX</i>	<i>Chapter # of enacted Private & Special Law</i>
<i>PASSED</i>	<i>Joint Order passed in both bodies</i>
<i>PUBLIC XXX</i>	<i>Chapter # of enacted Public Law</i>
<i>RESOLVE XXX</i>	<i>Chapter # of finally passed Resolve</i>
<i>UNSIGNED</i>	<i>Bill held by Governor</i>
<i>VETO SUSTAINED</i>	<i>Legislature failed to override Governor's Veto</i>

Please note that the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is September 13, 2003.

David C. Elliott, Director
Offices located in Room 215 of the Cross Office Building

Joint Standing Committee on Utilities and Energy

LD 508 **An Act To Transfer Regulation of Towers and Transmitters to Municipalities** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GOODWIN	ONTP MAJ OTP-AM MIN	

LD 508 proposed to authorize municipalities to adopt and enforce ordinances or regulations concerning the placement, height, size, width and output of towers and transmitters for wireless communications and require such ordinances be submitted to the Public Utilities Commission for its record.

Committee Amendment "A" (H-87), which was the minority report of the Joint Standing Committee on Utilities and Energy, proposed to remove the requirement in the bill that a copy of the local ordinance be submitted to the Public Utilities Commission. (Not adopted)

LD 540 **Resolve, To Ensure Optimal Energy Efficiency in State-funded Construction** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HALL BLISS	ONTP	

LD 540 proposed to direct the Department of Administrative and Financial Services to adopt rules to ensure optimal energy efficiency in state-funded construction. (See LD 233.)

LD 546 **An Act To Ensure Consideration of Accurate Long-term Customer Power Alternatives** **ONTP**

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

LD 546 proposed to require a transmission and distribution utility, in reviewing or renegotiating a special rate contract to "assume" that the customer's self-generation or other alternative sources of power was installed or obtained as originally proposed and has been operated in a commercially reasonable means and that it would continue to be so operated through the period of the proposed contract.

LD 547 **An Act To Increase Bill Reductions for Electricity Customers in Maine**

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

Current law provides for the exercise of some discretion by the Public Utilities Commission in setting assessment rates for funding electricity conservation programs for Maine's electricity customers. LD 547 proposed to establish

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a single rate, .25 cent per kilowatt-hour, for all investor-owned utilities in the State but to leave with the commission discretion in setting an assessment rate for consumer-owned utilities.

LD 548 **An Act To Require Fair Treatment of Ratepayers When Electric Utilities Are Sold** **ONTP**

<u>Sponsor(s)</u> TREAT		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 548 proposed to prohibit electric utilities that are purchased after January 1, 2003 at a price above their book value per share from charging to ratepayers the "acquisition premium" (amount paid above the book value).

LD 569 **An Act To Allow the Public Utilities Commission To Exempt Certain Telephone Utilities from the Requirement To Obtain Approval for Special Contracts** **ONTP**

<u>Sponsor(s)</u> BLISS HALL		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 569 proposed to authorize the Public Utilities Commission to grant exemptions from the requirement that telephone utilities obtain commission approval for special rate contracts with their customers.

LD 577 **An Act To Facilitate Access to Dial-up Internet Service for Telephone Customers throughout the State** **ONTP**

<u>Sponsor(s)</u> BLISS HALL		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 577 proposed to require that local service telephone lines be capable of providing dial-up Internet access at speeds of 28.8 kilobytes or greater.

LD 639 **An Act To Ensure Accurate Electric Rates for the Ski Industry** **CARRIED OVER**

<u>Sponsor(s)</u> MCGLOCKLIN HATCH PH		<u>Committee Report</u>		<u>Amendments Adopted</u>
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LD 639 proposes to require the Public Utilities Commission to establish rates for transmission and distribution utility service to ski areas in the State for lift operation and snowmaking that accurately reflect the costs of service.