

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 811 **An Act To Prevent the Gaming of Special Rate Contracts by Utilities** **ONTP**

<u>Sponsor(s)</u> BERRY		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 811 proposed to prohibit a transmission and distribution utility, while under an alternative rate plan that "provides certain limits on diesel deferral rates" from discontinuing or refusing to renew special rate contracts without the customer's consent, regardless of termination provisions in those contracts.

LD 843 **An Act To Ensure Equal Treatment of Telecommunications Customers under Maine's Universal Service Fund** **ONTP**

<u>Sponsor(s)</u> RINES DAGGETT		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 843 proposed to remove the requirement in Public Utilities Commission rules that customers of mobile carriers contribute financially to Maine's universal service fund, also established in commission rules. Under those rules, only rural local exchange carriers or competitive local exchange carriers serving rural areas, may be eligible to receive USF funds.

LD 947 **An Act To Create the Cable Television Franchise Board** **ONTP**

<u>Sponsor(s)</u> GLYNN BLAIS		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 947 proposed to create the Cable Television Franchise Oversight Board to license cable television companies and to oversee and regulate the cable television franchising process between municipalities and cable television companies. The board would have 7 members appointed by the Governor. The board would have rulemaking and regulatory authority, would be authorized to hire staff and would be authorized to assess cable television companies to fund its operations.

LD 967 **An Act To Amend the Charter of the Madawaska Water District** **P & S 16
EMERGENCY**

<u>Sponsor(s)</u> MARTIN PARADIS		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> S-45
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LD 967 proposed to authorize the Madawaska Water District to collect rates from properties immediately adjacent to its service lines even though owners of such properties may opt not to connect to the wastewater treatment

Joint Standing Committee on Utilities and Energy

services and to authorize the district to use statutory lien procedures to assist in the collection of outstanding rates and services.

Committee Amendment "A" (S-45) proposed to replace the bill. This amendment proposed to authorize a referendum within the Madawaska Water District to allow it to charge readiness-to-serve charges against properties abutting on or accessible to the water lines of the district that on or after January 1, 2004 are improved with new residential or commercial structures requiring systems for the disposal of sewage and wastewater but that do not connect to the district's water lines.

Enacted Law Summary

Private and Special Law 2003, chapter 16 authorizes a referendum within the Madawaska Water District to allow it to charge readiness-to-serve charges against properties abutting on or accessible to the water lines of the district that on or after January 1, 2004 are improved with new residential or commercial structures requiring systems for the disposal of sewage and wastewater but that do not connect to district's water lines.

Private and Special Law 2003, chapter 16 was enacted as an emergency measure effective May 14, 2003.

LD 1030 **An Act To Allow Consumer-owned Utilities To Purchase Power at Negotiated Wholesale Rates, Terms and Conditions** **PUBLIC 141**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MURPHY HATCH PH	OTP-AM	H-124

LD 1030 proposed to provide explicit permission for consumer-owned transmission and distribution utilities to enter into wholesale power purchase agreements for the purpose of providing retail generation service within their service territories.

Committee Amendment "A" (H-124) proposed to clarify that a consumer-owned transmission and distribution utility that purchases power at wholesale for resale to its customers must comply with the portfolio and information disclosure requirements applicable to competitive electricity providers.

Enacted Law Summary

Public Law 2003, chapter 141 provides explicit permission for consumer-owned transmission and distribution utilities to enter into wholesale power purchase agreements for the purpose of providing retail generation service within their service territories and clarifies that a consumer-owned transmission and distribution utility that purchases power at wholesale for resale to its customers must comply with the portfolio and information disclosure requirements applicable to competitive electricity providers.