

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

*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*

Staff:

Jon Clark, Senior Analyst

*Office of Policy and Legal Analysis
13 State House Station
Augusta, ME 04333
(207) 287-1670*

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 1321 proposed to update references to ASHRAE standards in Maine laws pertaining to energy efficiency and indoor air quality in new construction or substantial renovation of conditioned space in commercial or industrial buildings and residential buildings of more than 2 dwelling units.

Committee Amendment "A" (H-179) proposed to make technical corrections to the bill to make the effective date of the ASHRAE standards consistent (January 1, 2004).

Enacted Law Summary

Public Law 2003, chapter 151 updates Maine law pertaining to energy efficiency standards and indoor air quality. After January 1, 2004 new construction or substantial renovations of conditioned space in residential buildings of more than 2 dwelling units must conform to the 2001 ASHRAE standards.

LD 1359

An Act To Establish the Locally Governed Water District Act

INDEF PP

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

LD 1359 proposed to create a 4-year pilot program under which the Public Utilities Commission would designate up to 10% of the state's consumer-owned water utilities, including at least one large district, one medium-sized district, and one small district, to opt out of regulation by the Public Utilities Commission with respect to their rates, terms of service and most other affairs. The pilot program would expire on June 1, 2007. The bill proposed to require the Public Utilities Commission to submit a report on the success of the pilot program by October 31, 2006 to the joint standing committee of the Legislature having jurisdiction over public utilities matters.

Committee Amendment "A" (S-131) proposed to make the following changes to the bill. It proposed to:

1. Clarify that municipal water departments may participate in the local governance pilot project;
2. Require participants in the pilot project to continue to pay Public Utilities Commission and Public Advocate assessments;
3. Provide that sale of land by a pilot project participant remains subject to Public Utilities Commission oversight;
4. Remove the provision of the bill authorizing a pilot project participant to adopt a local appeal process and replace it with a directive that the Public Utilities Commission establish procedures to review customer complaints concerning denial or termination of service, terms and conditions of service, billing, metering or collection for service and any other matters the commission determines appropriate; and
5. Provide that a pilot project participant may take advantage of any authorization under existing law for a consumer-owned water utility to enter a lease and leaseback transaction, subject to Public Utilities Commission approval. (See LD 1252.) (Not adopted)

House Amendment "A" to Committee Amendment "A" (H-536) proposed to prohibit a consumer-owned water utility from participating in the pilot project unless participation in the pilot project has been approved by the consumers of the utility's service territory at a local referendum. (Not adopted)

Joint Standing Committee on Utilities and Energy

House Amendment "B" to Committee Amendment "A" (H-541) proposed to require a water utility district that wishes to participate in the local governance pilot project to first undergo an independent management audit. (Not adopted)

Senate Amendment "A" to Committee Amendment "A" (S-248) proposed to change the service size requirement under the provision requiring inclusion of a large water district in the pilot project from a service size of more than 100,000 people to a service size of more than 25,000 people. It proposed to reduce the number of participants in the pilot project from 10% of the consumer-owned water utilities operating in the State to 8 utilities. The amendment proposed, in the case of a locally governed water district's selling water to an adjacent water utility at wholesale, to maintain the Public Utilities Commission jurisdiction to establish fair rates for the sale of water by the locally governed water districts. (Not adopted)

LD 1360 An Act To Create a No-contact List and Prohibit Unsolicited E-mail CARRIED OVER

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

LD 1360 proposes to regulate telephone solicitation by consolidating various laws regarding telemarketers found in different sections of the Maine Revised Statutes and do the following:

1. Change the scope of the application to include all telemarketers, regardless of their place of business. Calls made by nonprofit charitable organizations and political organizations would be exempt;
2. Prohibit a telemarketer from blocking the display of its phone number from the consumer being called. (see LD 331);
3. Continue the current restrictions on the use of automated telephone calling devices to make telemarketing calls. (see LD 392);
4. Require telemarketers making solicitations via facsimile to provide the name and address of the person making the solicitation, as well as a toll-free telephone number that must be answered by an individual on weekdays between the hours of 9 a.m. and 5 p.m. or that automatically deletes the specified telephone number of the caller from the telemarketer's database. (current law prohibits unsolicited fares);
5. Require the Attorney General to establish, either in-house or through a contract with a private vendor, the Maine no-contact list, a database of names, addresses, telephone numbers and e-mail addresses of consumers in this State who object to receiving unsolicited telemarketing or telephone calls or commercial e-mail. The Attorney General would be required to provide information about the list and forms for enrolling on the list. The Attorney General would be permitted to charge a fee of no more than \$3 for inclusion on the list; a consumer would remain on the list for 3 years or until the consumer is assigned a new number or e-mail address;
6. Allow telemarketers and commercial e-mail senders to purchase the Maine no-contact list from the Attorney General for a fee not to exceed \$75 and prohibit telemarketers from calling consumers listed on the Maine no-contact list;