

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

2. Keep the current surcharge at 50¢ per month per line or number by removing the "sunset" provision in current law that reduces the surcharge to 32¢ 90 days after the adjournment of the First Regular Session of the 121st Legislature; and
3. Direct the Emergency Services Communication Bureau to seek to reduce the total number of public service answering points to between 16 and 24.

Enacted Law Summary

Public Law 2003, chapter 359:

1. Moves the Emergency Services Communication Bureau from the Department of Public Safety to the Public Utilities Commission;
2. Keeps the current surcharge at 50¢ per month per line or number by removing the "sunset" provision in current law that reduces the surcharge to 32¢ 90 days after the adjournment of the First Regular Session of the 121st Legislature; and
3. Directs the Emergency Services Communication Bureau to seek to reduce the total number of public service answering points (currently 48) to between 16 and 24.

LD 1444

An Act To Facilitate E-9-1-1 for Multiline Telephone Systems

PUBLIC 478

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BLISS HALL	OTP-AM	H-425

LD 1444 proposed to require privately owned or leased multiline telephone systems to provide to end users the same level of E-9-1-1 service that nonmultiline end users receive, which include: automatic number identification signaling, station identification data and updates to E-9-1-1 databases. This bill proposed to require multiline telephone systems that are newly installed or replaced to be compliant with routine technical rules adopted by the Department of Public Safety, Emergency Services Communication Bureau.

Committee Amendment "A" (H-425) proposed to replace the bill. This amendment proposed to permit the Emergency Services Communications Bureau to adopt rules to establish requirements for locating emergency calls, and initiating emergency responses to such calls, made from within multiline telephone systems, including network-based or premises-based systems, whether owned or leased by a public or private entity, such as private branch exchanges or Centrex systems. The amendment proposed to establish parameters for any such rules, to make them major substantive rules subject to legislative approval and require them to be approved by the Public Utilities Commission prior to their submission to the Legislature.

Joint Standing Committee on Utilities and Energy

Enacted Law Summary

Public Law 2003, chapter 478 permits the Emergency Services Communications Bureau to adopt rules to establish requirements for locating emergency calls, and initiating emergency responses to such calls, made from within multiline telephone systems, including network-based or premises-based systems, whether owned or leased by a public or private entity, such as private branch exchanges or Centrex systems. The amendment establishes parameters for any such rules, makes them major substantive rules subject to legislative approval and requires them to be approved by the Public Utilities Commission prior to their submission to the Legislature.

LD 1483

**An Act To Improve the Ability of the Public Utilities Commission
To Enforce State Laws, Rules and Requirements**

PUBLIC 505

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BLISS HALL	OTP-AM MAJ ONTP MIN	H-342

LD 1483 proposed to change most of the penalty provisions that apply to violations of laws administered by the Public Utilities Commission. It proposed:

1. To repeal a variety of specific penalties related to violations of certain laws administered by the PUC (ranging from a \$500/day civil forfeiture for a utility that fails to pay the PUC assessment to a Class B crime for a utility officer that knowingly makes a false statement regarding the issuance of stocks and bonds) and to make such violations subject to a new set of general penalties (see below);
2. To leave in place current administrative penalties for certain violations (violations of T&D codes of conduct and marketing restrictions, violations of the “slamming” law, violations of the “cramming” law, violations of the “dig safe” law, and violations of the E-911 law);
3. To increase penalties that apply to violations by gas utilities and gas pipelines of safety laws, make them administrative rather than civil, and add more specificity to the factors to be weighed in determining amount of the penalty;
4. To amend the “slamming” law to allow the PUC to order a telephone utility acting as billing agent to withhold payments to a suspected slammer pending administrative penalty proceedings;
5. To amend the “cramming” law to expand and change provisions relating to revocation of registration of a company that violates that law;
6. To allow the PUC to issue cease and desist orders under the “dig safe” law to prevent damage to underground facilities (currently the PUC can seek a temporary restraining order in court);
7. To repeal the current general penalty provision (civil forfeiture of up to \$1,000/offense) that applies in cases in which a specific penalty for a violation is not otherwise specified;
8. To create a class C crime for knowingly making a false or misleading statement in PUC proceeding;