

# MAINE STATE LEGISLATURE

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*State Of Maine  
121st Legislature*

*Second Regular Session and  
Second Special Session*

*Bill Summaries*

*Joint Standing Committee  
on  
Utilities and Energy*

*May 2004*

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Sen. Lynn Bromley  
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*Maine State Legislature*



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

*121st Maine Legislature  
Second Regular Session and  
Second Special 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/billsumm.htm](http://www.state.me.us/legis/opla/billsumm.htm)).

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:

- 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*
- P&S XXX..... Chapter # of enacted Private & Special Law*
- PASSED..... Joint Order passed in both bodies*
- 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 that the effective date for all non-emergency legislation enacted in the Second Regular Session (unless otherwise specified in a particular law) is April 30, 2004; and non-emergency legislation enacted in the Second Special Session is July 30, 2004. Four bills (LD's 1572, 1629, 1636 and 1637) that were considered at the First Special Session in August 2003 are also included in these summaries.

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systems in Kennebec County with the department's communication systems and for the design of an appropriate communications unit within the department. The board would be composed of representatives of the state and of local governments and emergency service providers who participate in the cooperative use of the department's communication systems, as well as representatives of employees, users of the system and the public. The amendment also proposed to direct the Commissioner of Public Safety, within existing resources, to appoint a department employee to supervise the department's communications systems and to carry out policy and procedures established by the board pending establishment of a communications unit within the department. Upon establishment of a communications unit in the department, the commissioner would be directed, to the extent resources are available and with the approval of the board, to appoint a director to administer the unit, plan, direct and supervise the day-to-day operations of the unit and carry out the policies and procedures of the board. The director could be dismissed by the commissioner for cause with the approval of the board.

### ***Enacted Law Summary***

Public Law 2003, chapter 678 establishes the Maine Communications System Policy Board within the Department of Public Safety. The purpose of the board is to establish policies, procedures and standards for the cooperative use of the department's communication systems by municipal, county and state governmental entities. The board is also directed to develop an implementation plan for the voluntary consolidation of the various governmental communication systems in Kennebec County with the department's communication systems and for the design of an appropriate communications unit within the department. The board is composed of representatives of the state and of local governments and emergency service providers who participate in the cooperative use of the department's communication systems, as well as representatives of employees, users of the system and the public. Public Law 2003, chapter 678 also directs the Commissioner of Public Safety, within existing resources, to appoint a department employee to supervise the department's communications systems and to carry out policy and procedures established by the board pending establishment of a communications unit within the department. Upon establishment of a communications unit in the department, the commissioner is directed, to the extent resources are available and with the approval of the board, to appoint a director to administer the unit, plan, direct and supervise the day-to-day operations of the unit and carry out the policies and procedures of the board. The director may be dismissed by the commissioner for cause with the approval of the board.

**LD 1692**

### **An Act To Enhance Pine Tree Development Zones**

**PUBLIC 610**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HALL	OTP-AM MAJ	H-831 RINES
BLISS	OTP-AM MIN	S-446

LD 1692 proposed to exempt a business that is certified as a qualified Pine Tree Development Zone business from the stranded cost portion of the business's utility bill. The bill also proposed to modify the procedural requirements for changing a Pine Tree Development Zone's development plan.

**Committee Amendment "A" (S-446)**, which was the majority report of the Joint Standing Committee on Utilities and Energy, proposed to replace the bill.

The amendment proposed to change the procedures relating to the designation and amendment of Pine Tree Development Zones and associated development plans by local units of government to provide that municipal officers may act on behalf of each local unit of government and that a local unit of government may arrange with a

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public or private organization to administer the local Pine Tree Development Zone activities and to act as the lead administrative entity.

The amendment also proposed to add provisions that authorize transmission and distribution utilities to offer discounted rates to qualified Pine Tree Development Zone businesses; authorize the Public Utilities Commission to take into account the overall benefits to ratepayers resulting from state efforts to promote economic development within Pine Tree Development Zones when approving discount rates, line extension terms and conditions or special conservation program benefits for qualified Pine Tree Development Zone businesses; and exempt sales of electricity to qualified Pine Tree Development Zone businesses from certain renewable portfolio requirements. These provisions would be repealed on December 31, 2009.

**Committee Amendment "B" (S-447)**, which was not adopted, was the minority report of the Joint Standing Committee on Utilities and Energy, and proposed to accomplish the following.

1. Provide that the sale of electricity to qualified Pine Tree Development Zone businesses is exempt from renewable portfolio requirements.
2. Require the Public Utilities Commission to establish a surcharge on electricity generated in this State that is not needed to meet the electric demand of consumers in this State. The surcharge would be used to reimburse transmission and distribution utilities for stranded costs that are not collected from qualified Pine Tree Development Zone businesses as a result of the rate exemption established by the bill.

**House Amendment "A" to Committee Amendment "A" (H-831)** was presented on behalf of the Committee on Bills in the Second Reading to number a section to read consecutively with existing law.

### ***Enacted Law Summary***

Public Law 2003, chapter 610 changes the procedures relating to the designation and amendment of Pine Tree Development Zones and associated development plans by local units of government to provide that municipal officers may act on behalf of each local unit of government and that a local unit of government may arrange with a public or private organization to administer the local Pine Tree Development Zone activities and to act as the lead administrative entity.

It also adds provisions that authorize transmission and distribution utilities to offer discounted rates to qualified Pine Tree Development Zone businesses; authorize the Public Utilities Commission to take into account the overall benefits to ratepayers resulting from state efforts to promote economic development within Pine Tree Development Zones when approving discount rates, line extension terms and conditions or special conservation program benefits for qualified Pine Tree Development Zone businesses; and exempt sales of electricity to qualified Pine Tree Development Zone businesses from certain renewable portfolio requirements. These provisions are repealed on December 31, 2009.