

# 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*

*Second Regular Session and  
Second Special Session*

*Bill Summaries*

*Joint Standing Committee  
on  
Utilities and Energy*

*May 2004*

**Staff:**

*Jon Clark, Senior Analyst*

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

**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. Maitland E. Richardson*

*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.

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

*Joint Standing Committee on Utilities and Energy*

LD 1711

**An Act Concerning Advertising of Business Names in Telephone Directories**

**PUBLIC 647**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
STANLEY	ONTP MAJ	H-737 CRESSEY
CLOUGH	OTP-AM MIN	H-827 BLISS S-398

LD 1711 proposed to require a telephone utility that lists in its directory an "800" or other toll-free number on behalf of a business customer to include with that listing the address of the business to which the number connects.

**Committee Amendment "A" (S-398)**, which was the minority report of the Joint Standing Committee on Utilities and Energy, proposed to replace the bill and change the title to reflect the substance of the amendment. This amendment proposed to prohibit a person (except a foreign corporation with gross annual revenues over \$100 million) from advertising or causing to be listed in a telephone directory a business name that is intentionally designed to misrepresent where the business is located or operating or falsely identifies the business as being located or operating in the area covered by the telephone directory.

**House Amendment "A" to Committee Amendment "A" (H-730)**, which was not adopted, proposed to provide that the prohibition against local misrepresentation applies to retail businesses offering consumer goods for sale in this State.

**House Amendment "B" to Committee Amendment "A" (H-737)** proposed to provide that the prohibition against local misrepresentation applies to any businesses offering consumer goods for sale in this State.

**House Amendment "C" to Committee Amendment "A" (H-827)** proposed to clarify that each day that the number is listed constitutes a separate offense until the number is disabled.

***Enacted Law Summary***

Public Law 2003, chapter 647 prohibits businesses offering consumer goods for sale in this State (except a foreign corporation with gross annual revenues over \$100 million) from advertising or causing to be listed in a telephone directory a business name that is intentionally designed to misrepresent where the business is located or operating or falsely identifies the business as being located or operating in the area covered by the telephone directory. Each day that the number listed is not disabled constitutes a separate offense.

**LD 1730**

**An Act To Create the Position of Director of Energy Programs at the Public Utilities Commission**

**PUBLIC 606**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BLISS	OTP-AM MAJ	H-761
HALL	ONTP MIN	

## *Joint Standing Committee on Utilities and Energy*

LD 1730 proposed to create 3 positions within the Public Utilities Commission. The new positions, a director, an analyst and a secretary, would oversee and carry out activities related to energy efficiency activities. Funds for these positions would be allocated from the Conservation Administration Fund.

**Committee Amendment "A" (H-761)**, which was the majority report of the Joint Standing Committee on Utilities and Energy, proposed to incorporate a fiscal note.

### *Enacted Law Summary*

Public Law 2003, chapter 606 creates 3 positions within the Public Utilities Commission. The new positions, a director, an analyst and a secretary, are created to oversee and carry out activities related to energy efficiency activities. Funds for these positions are allocated from the Conservation Administration Fund.

**LD 1740**                      **An Act To Make Electricity Provider Do-not-call Requirements Consistent with State and Federal Requirements**                      **ONTP**

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

LD 1740 proposed to replace the special statutory limitations on telemarketing by competitive electricity providers, which require the Public Utilities Commission to maintain a "do-not-call list," with a reference to the federal and state "do-not-call" telemarketing limitations. (See LD 1741.)

**LD 1741**                      **An Act To Amend the Laws Relating To Requirements for Competitive Electricity Providers**                      **PUBLIC 558**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BLISS HALL	OTP-AM	H-718

LD 1741 proposed to replace the requirement that a competitive electricity provider annually provide certain information disclosures to all consumers with the requirement that the provider annually provide the information to all residential and small commercial consumers.

**Committee Amendment "A" (H-718)** proposed to add provisions to the bill relating to the laws governing competitive electricity providers. It proposed to change the title to reflect these additions. The additions were taken from other legislation introduced this session (LD 1740) and were brought into this bill to avoid a technical conflict: they replace the special statutory limitations on telemarketing by competitive electricity providers, which require the Public Utilities Commission to maintain a "do-not-call list," with a reference to the federal and state "do-not-call" telemarketing limitations.

### *Enacted Law Summary*