

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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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
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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).

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 1889

**Resolve, Directing the Public Utilities Commission To Implement
Universal Rural Broadband Internet Access Statewide**

ONTP

<u>Sponsor(s)</u> HALL		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1889 proposed one of the recommendations of the Presiding Officers' Task Force on Creating a Future for Youth in Maine. It proposed to direct the Public Utilities Commission to develop a plan to implement universal rural broadband Internet access statewide by January 15, 2006. The Public Utilities Commission would be directed to report on this initiative no later than September 8, 2005 and every 6 months thereafter until implementation is complete.

The Committee, through a letter, asked the Public Utilities Commission to examine ways of expanding access in underserved areas of the State to high-speed technologies.

LD 1919

**An Act To Make Supplemental Appropriations and Allocations for
the Expenditures of State Government and To Change Certain
Provisions of the Law Necessary to the Proper Operations of State
Government for the Fiscal Years Ending June 30, 2004 and June
30, 2005 (Parts PP, S, V and IIII)**

PUBLIC 673

<u>Sponsor(s)</u> BRANNIGAN CATHCART		<u>Committee Report</u> See AFA Comm. Summary		<u>Amendments Adopted</u> See AFA Comm. Summary
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LD 1919 was the supplemental budget bill for 2004-2005. Several portions of the bill and amendments relate to matters of specific relevance to the Joint Standing Committee on Utilities and Energy; those portions are summarized here.

The original bill included the following proposals.

1. Part PP proposed to increase the telephone E-911 surcharge by 7 cents (from 50 to 57 cents) and to direct these extra funds to the General Fund (this provision was changed by Committee Amendment A, see below).
2. Part S proposed to transfer the Nuclear Safety Advisor from the State Planning Office to the Office of the Public Advocate and to modify the qualifications and funding for that position. (This provision was ultimately included in chapter 673).
3. Part V proposed to repeal certain sales taxes and to create a new service provider tax. The purpose of this part relates to Medicaid funding and achieving certain state-matching-fund conditions for access to federal funds. Among the taxes that would be affected are those on telecommunications services. (This provision was ultimately included in chapter 673).

The following proposed amendments were ultimately adopted and included in chapter 673.

Committee Amendment "A", as amended by House Amendment "Z", replaced Part PP of the bill; it proposed to transfer \$1,043,460 from the E-911 Fund to the General Fund by June 30, 2005.