MAINE STATE LEGISLATURE

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State Of Maine 122nd Legislature

First Regular Session and First Special Session

Bill Summaries

Joint Standing Committee on Utilities and Energy

August 2005

Members: Sen. Philip L. Bartlett II, Chair Sen. Scott W. Cowger

Sen. Carol Weston

Rep. Lawrence Bliss, Chair Rep. Herbert Adams Rep. Peter L. Rines Rep. Christopher W. Babbidge Rep. John R. Brautigam Rep. Kenneth C. Fletcher Rep. Maitland E. Richardson Rep. Philip A. Curtis Rep. Stacey Allen Fitts Rep. Everett W. McLeod, Sr.

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Maine State Legislature



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122nd Legislature First Regular Session and First Special Session

Summary of Legislation Considered by the Joint Standing Committees August 2005

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing 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 organized by committees 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. A subject index for each committee is included immediately before the bill summaries for that committee, and a numerical index by LD number is included at the back of the document. A separate publication, <u>History and Final Disposition of Legislative Documents</u>, 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:

CARRIED OVER	Bill Carried Over to Second Regular Session
CON RES XXX	
CONF CMTE UNABLE TO AGREE	
DIED BETWEEN BODIES	
DIED IN CONCURRENCE	One body accepts ONTP report; the other indefinitely postpones the bill
DIED ON ADJOURNMENT	
EMERGENCY	Enacted law takes effect sooner than 90 days
FAILED EMERGENCY ENACTMENT/FINAL PAS	SAGE Emergency hill 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	Bill failed to get majority vote Bill imposing local mandate failed to get 2/3 vote Ruled out of order by the presiding officers; bill died Bill Indefinitely Postponed Ought Not To Pass report accepted Committee report Ought To Pass In New Draft
<i>OTP ND</i>	
<i>OTP ND/NT</i>	
P&S XXX	
PUBLIC XXX	
RESOLVE XXX	
UNSIGNED	Bill held by Governor
VETO SUSTAINED	

Please note the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is *June 29, 2005*; and for non-emergency legislation enacted in the First Special Session is *September 17, 2005*.

Joint Standing Committee on Utilities and Energy

utility's ratepayers. The bill proposed to require at least 40% of available funds be apportioned among programs for low-income and small business customers; the remainder would be available to other customers. The bill proposed to direct the Public Utilities Commission to adopt rules governing program cost-effectiveness and to make annual reports on the program to the Joint Standing Committee on Utilities and Energy.

Committee Amendment "A" (H-185) proposed to make the following changes to the bill:

- 1. To provide that the apportionment of a gas utility's available funds for conservation programs must be in accordance with rules adopted by the Public Utilities Commission. It proposed to direct the Public Utilities Commission to ensure that a reasonable percentage of funds is available to low-income consumers and to small-business consumers based on an assessment of the opportunity for cost-effective conservation measures for such consumers. It also proposed to direct the commission to define "small business" and to consider definitions of that term used for other programs that assist small businesses; and
- 2. To change the funding level for conservation programs so that it is calculated using delivery revenues rather than total revenues and to clarify certain other language of the bill.

Enacted law summary

Public Law 2005, chapter 110 requires gas utilities that serve at least 5,000 residential consumers (which currently includes only Northern Utilities) to implement cost-effective conservation programs. The funding level is capped at 3% of the utility's delivery service revenues. The apportionment of a gas utility's available funds for conservation programs must be in accordance with rules adopted by the Public Utilities Commission. The Public Utilities Commission is required to ensure that a reasonable percentage of funds is available to low-income consumers and to small-business consumers based on an assessment of the opportunity for cost-effective conservation measures for such consumers. The commission is also required to define "small business" and to consider definitions of that term used for other programs that assist small businesses.

LD 407

An Act To Place the Emergency Services Communication Bureau CARRIED OVER within the Department of Public Safety

Sponsor(s)	Committee Report	Amendments Adopted
HOBBINS	_	_
PARADIS		

LD 407 proposed to move the Emergency Services Communication Bureau from within the Public Utilities Commission to within the Department of Public Safety.

This bill was carried over by H.P. 1203 to the next special or regular session of the 122nd Legislature.

LD 413

An Act To Amend the Charter of the York Sewer District

P & S 22

Sponsor(s)	Committee Report		Amendments Adopted
ANDREWS	OTP-AM	A	S-281
	OTP-AM	В	
	ONTP	C	

Joint Standing Committee on Utilities and Energy

LD 413 proposed to change the procedure by which the York Sewer District may be dissolved.

Committee Amendment "A" (S-281), which was the majority report of the Joint Standing Committee on Utilities and Energy, proposed to replace the bill. The amendment proposed to amend the charter of the York Sewer District to:

- 1. Cross-reference statutory law requiring municipal review and approval of sewer extensions;
- 2. Require the York Sewer District to include in its annual report audited financial statements and require the Town of York to include the district's report in the town's annual report;
- 3. Provide that decisions of the district relating to assessments for sewer construction may be appealed to the Town of York:
- 4. Establish a process for involuntary dissolution of the York Sewer District and for the transfer of its assets and obligations to the Town of York. The process would be initiated by citizen petition followed by a referendum vote within the town;
- 5. Add a referendum clause to the bill; and
- 6. Fix an incorrect reference in a prior private and special law.

Committee Amendment "B" (S-282), which was one of 2 minority reports of the Joint Standing Committee on Utilities and Energy, proposed to replace the bill. The amendment was the same as the majority report except that rather than establishing a process for the involuntary dissolution of the York Sewer District, it proposed to establish a process for the recall of the trustees of the York Sewer District.

Enacted law summary

Private and Special Law 2005, chapter 22 amends the charter of the York Sewer District to:

- 1. Cross-reference statutory law requiring municipal review and approval of sewer extensions;
- 2. Require the York Sewer District to include in its annual report audited financial statements and require the Town of York to include the district's report in the town's annual report;
- 3. Provide that decisions of the district relating to assessments for sewer construction may be appealed to the Town of York:
- 4. Establish a process for involuntary dissolution of the York Sewer District and for the transfer of its assets and obligations to the Town of York. The process is initiated by citizen petition followed by a referendum vote within the town; and
- 5. Fix an incorrect reference in the current charter.

Private and Special Law 2005, chapter 22 does not take effect unless approved by referendum vote within the district.