

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
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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, 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:

- CARRIED OVER Bill Carried Over to Second Regular Session
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
OTP ND/NT..... Committee report Ought To Pass In New Draft/New Title
P&S XXX..... Chapter # of enacted Private & Special Law
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 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

LD 563

An Act To Assist Persons with Pulmonary Disabilities

PUBLIC 132

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FAIRCLOTH	OTP-AM	H-181

LD 563 proposed to require the Public Utilities Commission to establish an equitable-treatment program to ensure the electricity bill assistance provided to low-income residential customers who for health reasons must use electric oxygen pumps is substantially equivalent among the various transmission and distribution utility service territories. Pursuant to current law, the Public Utilities Commission has established different low-income assistance programs in different transmission and distribution utility territories. As a result, low-income customers of Central Maine Power Company are offered a percent-of-income program that generally provides greater benefits than those offered under other transmission and distribution utility programs. This bill proposed to address this inequity.

Committee Amendment "A" (H-181) proposed to modify the language governing the establishment of the equitable-treatment program. It proposed to remove the requirement that overall program benefits provided to low-income persons who use oxygen pumps be substantially equivalent throughout the State. Since the low-income programs of the various transmission and distribution utilities are dissimilar in many ways, that requirement might be difficult to achieve and conflict with the goal of establishing an administratively simple and inexpensive program. The amendment proposed to provide that the program ensure that low-income assistance benefits mitigate, to an extent that is reasonably equivalent throughout the State, the increased electric costs associated with the use of oxygen pumps. The amendment also proposed to ensure that only persons eligible for benefits under the current programs would be eligible for the adjustment provided under the equitable-treatment program.

Enacted law summary

Public Law 2005, chapter 132 requires the commission to establish an equitable-treatment program to ensure that electricity bill assistance benefits provided to low-income residential customers who for health reasons must use electric oxygen pumps mitigate, to an extent that is reasonably equivalent throughout the State, the increased electric costs associated with the use of oxygen pumps. Only persons eligible for benefits under the current utility programs are eligible for the adjustment provided under the equitable-treatment program.

Pursuant to current law, the Public Utilities Commission has established different low-income assistance programs in different transmission and distribution utility territories. As a result, low-income customers of Central Maine Power Company are offered a percent-of-income program that generally provides greater benefits than those offered under other transmission and distribution utility programs. The equitable-treatment program is designed to mitigate the difference in benefits provided to low-income residential customers who for health reasons must use electric oxygen pumps.