

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. Kenneth C. Fletcher
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Rep. Everett W. McLeod, Sr.*

Staff:

Jon C. Clark, Senior Analyst

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



Maine State Legislature

OFFICE OF POLICY & LEGAL ANALYSIS

13 State House Station, Room 215 Cross State Office Building
Augusta, Maine 04333-0013
Telephone: (207) 287-1670
Fax: (207) 287-1275

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

accordance with the rule's standards; and to allow the commission to waive the solicitation requirement if it found a substantial likelihood that the standards would not be met. In accordance with the enabling law, the rule proposed to provide that the commission or the standard offer provider enter into the contracts with the suppliers.

Committee Amendment "A" (H-420) proposed to change the resolve and not to authorize final adoption of the provisionally adopted major substantive rule. The amendment proposed to authorize the commission to submit revised or new rules on the same subject matter for review in the Second Regular Session of the 122nd Legislature.

Enacted law summary

Resolve 2005, chapter 65 does not authorize final adoption of those portions of Chapter 301: Standard Offer Service that constitute a provisionally adopted major substantive rule of the Public Utilities Commission. It authorizes the commission to submit revised or new rules on the same subject matter for review in the Second Regular Session of the 122nd Legislature.

Resolve 2005, chapter 65 was enacted as an emergency and took effect on May 31, 2005.

LD 1418

Resolve, To Direct the Public Utilities Commission to Examine Issues Related to the Collection of Certain Fees on Prepaid Wireless Telephone Services

RESOLVE 62

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BLISS BARTLETT	OTP-AM	H-419

LD 1418 proposed to amend the law concerning the E-9-1-1 surcharge to include prepaid wireless telephone service. The bill proposed to require the service provider to collect from the customer a surcharge for the period of the prepaid service at a rate of 50 cents per month. The provider would be given the option of collecting the surcharge at the time the customer purchases the service or at the beginning of each month for which time is left on the service.

Committee Amendment "A" (H-419) proposed to replace the bill and turn the bill into a resolve. The amendment would direct the Public Utilities Commission to examine methods of ensuring equity in funding the E-9-1-1 system, the Telecommunications Education Access Fund, and the universal service fund through the collection of fees on prepaid wireless telephone service. The commission would be directed to submit its report with its recommendations to the Joint Standing Committee on Utilities and Energy by February 2006. The Joint Standing Committee on Utilities and Energy would be authorized to report out a bill on this subject matter to the Second Regular Session of the 122nd Legislature.

Enacted law summary

Resolve 2005, chapter 62 directs the Public Utilities Commission to examine methods of ensuring equity in funding the E-9-1-1 system, the Telecommunications Education Access Fund and the universal service fund through the collection of fees on prepaid wireless telephone service. The commission is directed to submit its report with its recommendations to the Joint Standing Committee on Utilities and Energy by February 2006. The Joint Standing Committee on Utilities and Energy is authorized to report out a bill on the subject matter of the report to the Second Regular Session of the 122nd Legislature.