

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*

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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

LD 1440

An Act To Encourage the Implementation of High-speed Internet Access in Rural and Isolated Areas **CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PINGREE DAMON		

LD 1440 was a concept draft pursuant to Joint Rule 208. It proposed to encourage high-speed Internet access in areas of the State underserved or currently not served because of technical and market barriers by:

1. Creating the Maine Internet Access Authority in the Public Utilities Commission to encourage collaboration between Internet service providers, traditional communications providers, state and local governmental entities and economic and community development groups;
2. Requiring towns to better accommodate wireless Internet access from Internet service providers by providing access to water towers or other similarly accessible towers and public buildings for no cost or a greatly reduced fee;
3. Encouraging Internet access in rural communities and competition among Internet service providers in larger communities by creating a state matching fund for implementation of new creative Internet access technologies or for laying messenger wire in communities on current pole structures for Internet access; and
4. Requiring all Internet, Voice-over-Internet Protocol and broadband service providers to include all fees in the advertised prices of their products.

LDs 1128 and 789 also relate to the expansion of broadband services.

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

LD 1442

An Act To Facilitate Energy Self-sufficiency for Maine's Offshore Islands

P & S 21

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PINGREE DAMON	OTP-AM	H-486

LD 1442 proposed to permit a consumer-owned utility to sell wholesale generation service, beyond sales that are merely incidental, when necessary to reduce the cost of providing retail service. Under current law, a consumer-owned transmission and distribution utility may not sell wholesale generation service except incidental sales necessary to reduce the cost of providing retail service.

Committee Amendment "A" (H-320), which was the original majority report of the committee, proposed to narrow the focus of the bill. Under the amendment, consumer-owned transmission and distribution utilities located on and serving the residents of an offshore island would be permitted to sell wholesale generation service in order to reduce the cost of providing retail service.