

# 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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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 1610**                      **Resolve, Regarding Legislative Review of Portions of Chapter 306: Uniform Information Disclosure and Informational Filing Requirements, a Major Substantive Rule of the Public Utilities Commission**                      **RESOLVE 57  
EMERGENCY**

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

LD 1610 proposed to authorize the portions of Chapter 306: Uniform Information Disclosure and Informational Filing Requirements that constitute a major substantive rule of the Public Utilities Commission.

*Enacted law summary*

Resolve 2005, chapter 57 authorizes final adoption of that portion of Chapter 306: Uniform Information Disclosure and Informational Filing Requirements, that constitutes a major substantive rule of the Public Utilities Commission.

Resolve 2005, chapter 57 was passed as an emergency measure effective May 26, 2005.

**LD 1612**                      **Resolve, To Ensure Proper Handling by the E-9-1-1 System of Calls Made by Persons Who Are Deaf, Hard-of-hearing or Speech-impaired**                      **RESOLVE 63**

<u>Sponsor(s)</u>		<u>Committee Report</u>		<u>Amendments Adopted</u>
EDMONDS		OTP-AM		S-228

LD 1612 proposed to require that the Emergency Services Communication Bureau:

1. Ensure that all public safety answering points accept calls generated from automated emergency response telephones;
2. Ensure that all dispatchers at public safety answering points are trained on telecommunications devices for the deaf and voice carry-over, hearing carry-over and captioned telephone equipment as well as any newly developed related equipment;
3. Conduct monthly, unannounced call tests for every public safety answering point to test call and equipment capability and to report the test results to the E-9-1-1 Council and the Department of Labor, Bureau of Rehabilitation Services, Division of Deafness; and
4. Ensure that any change to the E-9-1-1 system that requires new equipment is compatible with telecommunications devices for the deaf and voice carry-over, hearing carry-over and captioned telephone equipment.

**Committee Amendment "A" (S-228)** proposed to change the bill into a resolve. The amendment proposed to direct the Public Utilities Commission, Emergency Services Communication Bureau to convene a stakeholders group, including representatives of dispatch centers that handle E-9-1-1 calls and the Maine Center on Deafness,

## *Joint Standing Committee on Utilities and Energy*

to examine how to ensure that the E-9-1-1 system adequately handles calls made by persons who are deaf, hard-of-hearing or speech-impaired. The Emergency Services Communication Bureau would be required, no later than January 15, 2006, to report to the Joint Standing Committee on Utilities and Energy the results of the stakeholder process and the committee would be authorized to report out legislation on this subject matter to the Second Regular Session of the 122nd Legislature.

### ***Enacted law summary***

Resolve 2005, chapter 63 directs the Emergency Services Communication Bureau in the Public Utilities Commission to convene a stakeholders group, including representatives of dispatch centers that handle E-9-1-1 calls and the Maine Center on Deafness, to examine how to ensure that the E-9-1-1 system adequately handles calls made by persons who are deaf, hard-of-hearing or speech-impaired. The Emergency Services Communication Bureau is required, no later than January 15, 2006, to report to the Joint Standing Committee on Utilities and Energy the results of the stakeholder process. The Joint Standing Committee on Utilities and Energy is authorized to report out legislation relating to the subject matter of this resolve to the Second Regular Session of the 122nd Legislature.

<b>LD 1613</b>	<b>An Act To Promote the Use of Public Safety Telecommunications Equipment by the Deaf and Hard-of-hearing Community</b>	<b>PUBLIC 336</b>
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<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
EDMONDS	OTP-AM    MAJ OTP-AM    MIN	S-285

LD 1613 proposed to establish a discount program for deaf or hard-of-hearing persons for wireless or 2-way pager service used to receive emergency alerts issued by any state or federal agency.

Under current law, \$85,000/year is transferred from the Public Utilities Commission's universal service fund (USF) to the Communications Equipment Fund administered by the Department of Labor, Bureau or Rehabilitation Services for use in providing telecommunications equipment for the deaf and hard-of-hearing, including for emergency alert equipment and training needs. The commission is authorized to require telecommunications carriers to contribute to the USF to cover this transfer. The commission is also authorized to transfer from the USF up to an additional \$37,500/year to the Communications Equipment Fund if sufficient federal funding for Communications Equipment Fund purposes is not received; this amount must be absorbed by the USF; the PUC is currently not authorized to assess carriers to collect this amount.

The bill would continue to require the commission to transfer \$85,000/year from the USF to Communications Equipment Fund; the funds would be available generally for telecommunications equipment for the deaf and hard of hearing. The bill would also continue to allow the commission to transfer an additional \$37,500/year from the USF to Communications Equipment Fund but would allow the PUC to assess carriers to recover this amount; these funds also would be available generally for telecommunications equipment for the deaf and hard of hearing. The bill would establish a new discount program for deaf or hard-of-hearing persons who have income less than 225% of the federal poverty level: \$10/month discount (or the total service charge, whichever is less) for wireless or 2-way pager service used to receive emergency alerts issued by any state or federal agency (the person would receive the discount and