

MAINE STATE LEGISLATURE

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*State Of Maine
122nd Legislature*

Second Regular Session

Bill Summaries

*Joint Standing Committee
on
Utilities and Energy*

July 2006

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Maine State Legislature



Office of Policy and Legal Analysis Office of Fiscal and Program Review

122nd Maine Legislature Second Regular Session

Summary of Legislation Before The Joint Standing Committees

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing 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 arranged alphabetically by committee name 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. Two indices, a subject index and a numerical index by LD number are provided for easy reference to bills. They are located 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/billsumm.htm).

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:

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
P&S XXX.....	Chapter # of enacted Private & Special Law
PASSED.....	Joint Order passed in both bodies
PUBLIC XXX.....	Chapter # of enacted Public Law
RESOLVE XXX.....	Chapter # of finally passed Resolve
UNSIGNED (Pocket Veto).....	Bill held by Governor
VETO SUSTAINED.....	Legislature failed to override Governor's Veto

Please note that the effective date for all non-emergency legislation enacted in the Second Regular Session (unless otherwise specified in a particular law) is August 23, 2006.

Joint Standing Committee on Utilities and Energy

LD 1858

An Act To Improve Cell Phone Service in the State

ONTP

<u>Sponsor(s)</u> THOMAS		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1858 proposed to require a provider of mobile telecommunications services to allow new subscribers to use analog phones until there is adequate digital cellular telephone coverage throughout the State. This bill also proposed to direct the Office of the Public Advocate to evaluate the adequacy of digital service and to report annually to the utilities and energy committee. This bill also proposed to require the committee to review the annual report and make a determination as to whether digital cellular service is adequate throughout the State and to authorize the committee to report out legislation to amend or repeal the analog service requirement.

The committee, by letters dated April 10, 2006, requested that the Governor, the Public Utilities Commission, the Attorney General and the Office of the Public Advocate monitor developments with respect to and take any appropriate actions to protect citizens of the State as a result of the scheduled February 18, 2008 sunset of the Federal Communications Commission’s analog service requirements for cellular phone service.

LD 1897

Resolve, To Direct the Public Utilities Commission To Examine Continued Participation by Transmission and Distribution Utilities in This State in the New England Regional Transmission Organization

RESOLVE 187

<u>Sponsor(s)</u> BRAUTIGAM		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-959
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LD 1897 proposed to provide that, if the Public Utilities Commission finds that the interests of Maine electricity consumers cannot otherwise be adequately protected, the commission may, as permitted by law, require transmission and distribution utilities within its jurisdiction to withdraw from participation in the system of any independent system operator.

Committee Amendment “A” (H-959) proposed to replace the bill with a resolve. The resolve proposed to direct the Public Utilities Commission to undertake an inquiry to determine the legal options for and costs and benefits of directing or otherwise causing transmission and distribution utilities in this State to withdraw from the New England regional transmission organization. The commission would be directed to issue an interim report on the status of its inquiry and any preliminary findings and recommendations to the joint standing committee of the Legislature having jurisdiction over utilities and energy matters by January 1, 2007. The joint standing committee would be authorized to request additional interim reports from the commission as the committee determines appropriate. The commission would be directed to issue a final report of its findings and recommendations to the Joint Standing Committee on Utilities and Energy by January 1, 2008. The amendment also proposed to add an appropriations and allocations section to the bill.

Joint Standing Committee on Utilities and Energy

Enacted law summary

Resolve 2005, chapter 187 directs the Public Utilities Commission to undertake an inquiry to determine the legal options for and costs and benefits of directing or otherwise causing transmission and distribution utilities in this State to withdraw from the New England regional transmission organization. The commission is directed to issue an interim report on the status of its inquiry and any preliminary findings and recommendations to the joint standing committee of the Legislature having jurisdiction over utilities and energy matters by January 1, 2007. The joint standing committee is authorized to request additional interim reports from the commission as the committee determines appropriate. The commission is directed to issue a final report of its findings and recommendations to the Joint Standing Committee on Utilities and Energy by January 1, 2008.

LD 1913 **An Act To Designate the Department of Health and Human Services as the Sole Entity Entitled To Use the 2-1-1 Telephone Number** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GERZOFSKY EDMONDS	ONTP	

LD 1913 proposed to require the Public Utilities Commission to designate the Department of Health and Human Services as the sole entity entitled to use the 2-1-1 telephone number for the purpose of providing access to information and referral services offered by or through the department.

LD 1931 **An Act To Encourage Energy Independence for Maine** **PUBLIC 569
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BARTLETT	OTP-AM	S-523

LD 1931 proposed the following:

1. To require the Commissioner of Education to ensure that facility managers for school administrative districts complete the building operators certification program established and conducted under the authority of the Public Utilities Commission. It proposed to establish certification goals of 50% of facility managers by January 1, 2010 and 100% of facility managers by January 1, 2015. The commission would be required annually to report to the joint standing committee of the Legislature having jurisdiction over utilities and energy matters on the progress towards the goals and the energy savings realized in school administrative districts as a result of the facility managers' completing the program;
2. To amend current law that prohibits a municipality from adopting a building energy code other than the model building energy code developed by the Public Utilities Commission pursuant to the Maine Revised Statutes, Title 35-A, section 121. A municipality would be permitted to opt out of adoption of the model building energy code by notifying the commission of the municipality's decision by January 1, 2008. If a municipality failed to opt out, it would be required to adopt the model building energy code;