

# 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](http://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*

Requirements Developed by the Public Utilities Commission and the Telephone Association of Maine in response to the March 23, 2006 directive of the Utilities and Energy Committee.”

### *Enacted law summary*

Resolve 2005, chapter 184 authorizes the Public Utilities Commission to finally adopt portions of Chapter 895: Underground Facility Damage Prevention Requirements, a provisionally adopted major substantive rule, as long as certain changes are made relating to commission enforcement proceedings. The changes require the commission to hold a preliminary investigation prior to issuing a notice of probable violation.

Resolve 2005, chapter 184 was enacted as an emergency measure effective April 12, 2006.

**LD 2074**

### **An Act Regarding Energy Efficiency Standards for Residential Rental Properties**

**PUBLIC 534**

Sponsor(s)

Committee Report

Amendments Adopted

LD 2074, reported by the Joint Standing Committee on Utilities and Energy pursuant to Resolve 2005, chapter 109, section 4, proposed the following:

1. To require landlords of residential property that will be used by tenants as a primary residence to provide to the tenants an energy efficiency disclosure statement for the property. It also proposed to direct the Public Utilities Commission and the Maine State Housing Authority to prepare and distribute an energy efficiency disclosure statement form for landlords to use;
2. To direct the Public Utilities Commission and the Maine State Housing Authority to develop suggested energy efficiency standards for residential property used by tenants as primary residences; and
3. To require the Public Utilities Commission to submit to the joint standing committee of the Legislature having jurisdiction over utilities and energy matters before January 1, 2008 the commission's assessment of the effectiveness of the energy disclosure statement in meeting the purposes of the law.

### *Enacted law summary*

Public Law 2005, chapter 534 does the following:

1. It requires landlords of residential property that will be used by tenants as a primary residence to provide to the tenants an energy efficiency disclosure statement for the property and directs the Public Utilities Commission and the Maine State Housing Authority to prepare and distribute an energy efficiency disclosure statement form for landlords to use;
2. It directs the Public Utilities Commission and the Maine State Housing Authority to develop suggested energy efficiency standards for residential property used by tenants as their primary residence; and

## *Joint Standing Committee on Utilities and Energy*

3. It requires the Public Utilities Commission to submit to the joint standing committee of the Legislature having jurisdiction over utilities and energy matters before January 1, 2008 the commission's assessment of the effectiveness of the energy disclosure statement in meeting the purposes of the law.

**LD 2078**

**An Act To Establish the Island Falls Water District**

**P & S 49**

<u>Sponsor(s)</u> JOY MARTIN	<u>Committee Report</u> OTP	<u>Amendments Adopted</u>
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LD 2078 proposed to establish the Island Falls Water District.

### *Enacted law summary*

Private and Special Law 2005, chapter 49 establishes the Island Falls Water District, subject to voter approval in a referendum held within the district.

**LD 2080**

**An Act To Accelerate Private Investment in Maine's Wireless and Broadband Infrastructure**

**PUBLIC 665**

<u>Sponsor(s)</u> PINGREE BARTLETT	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-1018
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LD 2080 proposed the following:

1. To establish the Advanced Technology Investment Authority governed by a 5-member board, including the Chief Information Officer of the State, the chair of the Maine Public Utilities Commission and 3 other members;
2. To direct the authority to collect information concerning communications services in the State, assess the availability and need for services in unserved and underserved areas, identify and secure federal and other funding sources for broadband and wireless deployment and undertake projects to provide increased access to broadband and wireless communications services in unserved and underserved areas of the State;
3. To authorize the authority to up to expend up to \$500,000 in previously collected but unallocated funds of the Maine universal service fund;
4. To establish the Advisory Council on Advanced Technology Investment to advise the authority on technical, policy, financial and economic issues and to perform limited functions assigned to it by the authority; and
5. To allow a reimbursement for taxes paid on the purchase of machinery and equipment to develop an advanced communications technology infrastructure in a qualifying ConnectME zones designated by the authority.

**Committee Amendment "A" (H-1018)** proposed to replace the bill. It proposed to retain the substance of the bill but to make the following changes: