

MAINE STATE LEGISLATURE

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STATE OF MAINE
124TH LEGISLATURE
SECOND REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed during the Second Regular Session of the 124th Maine Legislature coming from the

**JOINT STANDING COMMITTEE ON UTILITIES AND
ENERGY**

April 2010

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STATE OF MAINE

124TH LEGISLATURE
SECOND REGULAR SESSION



LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* summarizes all bills and adopted amendments and all laws enacted or finally passed during the Second Regular Session of the 124th Maine Legislature.

The *Digest* is arranged alphabetically by committee and within each committee by LD number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are summarized and listed by paper number. A subject index is included with each committee. The appendices include a summary of relevant session statistics, an index of all bills by LD number and an index of enacted laws by law type and chapter number.

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 Carried over to a subsequent session of the Legislature
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 HOUSES..... 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; bill died
ONTP (or Accepted ONTP report) Ought Not To Pass report accepted; bill died
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

The effective date for non-emergency legislation enacted in the Second Regular Session of the 124th Legislature is Monday, July 12, 2010. The effective date for legislation enacted as an emergency measure is specified in the enacted law summary for those bills.

Joint Standing Committee on Utilities and Energy

This amendment adds an appropriations and allocations section.

Enacted Law Summary

Private and Special Law 2009, chapter 30 authorizes an allocation of \$100,000 to cover costs to be incurred through a contract for legal services to be provided by bankruptcy counsel for the FairPoint Communications bankruptcy proceedings in New York. It authorizes the Office of the Public Advocate to impose a special assessment to cover the cost of those legal services only on those telecommunications providers already subject to assessment under the Maine Revised Statutes, Title 35-A, section 116, subsection 8.

Private and Special Law 2009, chapter 30 was enacted as an emergency measure effective March 1, 2010.

LD 1644 An Act To Require That a Utility Company Notify the Owner of Property prior to Disconnecting Services

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PILON BLISS	ONTP	

This bill requires the Public Utilities Commission to adopt rules requiring a utility to notify a landlord when residential utility service of a tenant is to be terminated or disconnected.

See also LD 1695.

LD 1645 An Act To Streamline Collections for Consumer-owned Consolidated Water and Wastewater Utilities

PUBLIC 541
EMERGENCY

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FITTS	OTP-AM	H-698

This bill allows a consumer-owned water utility that also provides sewer services to disconnect water service to a user for nonpayment by that user of the utility's sewer service charges.

Committee Amendment "A" (H-698)

This amendment imposes specific terms and conditions on any consumer-owned water utility authorized to provide sewer services that chooses to exercise the authority granted in the bill to disconnect water service for nonpayment of sewer service. The terms and conditions include requiring annual reports to the Public Utilities Commission regarding disconnections, requiring that the utility provide to the customer certain information about available assistance programs, prohibiting disconnection based on bills for estimated sewer usage and prohibiting disconnection of multiunit rental facilities greater than two units unless the owner occupies one of the units. A utility that has the disconnection authority under a charter provision enacted prior to August 1, 2010 is exempted from the prohibition relating to disconnection of multiunit rental facilities. The amendment requires the Public Utilities Commission to report to the joint standing committee of the Legislature having jurisdiction over utilities and energy matters by January 15, 2012 on disconnection actions taken by utilities as well as any commission recommendations for changes to the law. The amendment clarifies that its provisions apply to all combined water and sewer entities, including those that may already have similar authority in their charters. The amendment also adds an emergency preamble and emergency clause to the bill.

Joint Standing Committee on Utilities and Energy

Enacted Law Summary

Public Law 2009, chapter 541 allows a consumer-owned water utility that also provides sewer services to disconnect water service to a user for nonpayment by that user of the utility's sewer service charges. This law imposes specific terms and conditions on any consumer-owned water utility authorized to provide sewer services that chooses to exercise this authority, including requiring annual reports to the Public Utilities Commission regarding disconnections, requiring that the utility provide to the customer certain information about available assistance programs, prohibiting disconnection based on bills for estimated sewer usage and prohibiting disconnection of multiunit rental facilities greater than two units unless the owner occupies one of the units. A utility that has the disconnection authority under a charter provision enacted prior to August 1, 2010 is exempted from the prohibition relating to disconnection of multiunit rental facilities. The law requires the Public Utilities Commission to report to the joint standing committee of the Legislature having jurisdiction over utilities and energy matters by January 15, 2012 on disconnection actions taken by utilities as well as any commission recommendations for changes to the law. The law applies to all combined water and sewer entities, including those that may already have similar authority in their charters.

Public Law 2009, chapter 541 was enacted as an emergency measure effective March 24, 2010.

LD 1646 An Act To Establish a Broadband Policy for Maine

**PUBLIC 586
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FLAHERTY BARTLETT	OTP-AM	H-685

This bill:

1. Provides a definition of "broadband," using as a model the broadband baseline used by the United States Federal Communications Commission;
2. Establishes a goal of 100% deployment of baseline broadband service by the end of 2012 and establishes a policy of promoting sustainable private investment to increase broadband service that exceeds the minimum levels throughout the State;
3. Requires state agencies to assist in promoting private investment in broadband infrastructure to stimulate rapid and sustainable deployment of broadband services; and
4. Requires the ConnectME Authority to develop target prices for broadband services and establish competitively neutral discounts to customers in areas where services are more expensive than the average metropolitan rates.

Committee Amendment "A" (H-685)

This amendment replaces the bill. The amendment establishes certain broadband goals and policies to promote broadband infrastructure deployment and availability in this State.

Enacted Law Summary

Public Law 2009, chapter 586 establishes certain broadband goals and policies to promote broadband infrastructure deployment and availability in this State.

Public Law 2009, chapter 586 was enacted as an emergency measure effective April 1, 2010.