

MAINE STATE LEGISLATURE

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STATE OF MAINE
127TH LEGISLATURE
SECOND REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed

**JOINT STANDING COMMITTEE ON ENERGY, UTILITIES
AND TECHNOLOGY**

May 2016

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STATE OF MAINE

127TH LEGISLATURE

SECOND REGULAR SESSION



LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* contains summaries of all LDs and adopted amendments and all laws enacted or finally passed during the Second Regular Session of the 127th Maine Legislature.

The *Digest* is arranged alphabetically by committee and within each committee by Legislative Document (LD) number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each LD title. All adopted amendments are summarized and listed by paper number. A subject index is included with each committee. An appendix provides a summary of relevant session statistics.

Final action on each LD is noted to the right of the LD title. The following describes the various final actions.

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; legislation died*
DIED BETWEEN HOUSES..... *House & Senate disagreed; legislation died*
DIED IN CONCURRENCE..... *defeated in each house, but on different motions; legislation died*
DIED ON ADJOURNMENT..... *action incomplete when session ended; legislation died*
EMERGENCY..... *enacted law takes effect sooner than 90 days after session adjournment*
FAILED, EMERGENCY ENACTMENT or PASSAGE..... *emergency failed to receive required 2/3 vote*
FAILED, ENACTMENT or FINAL PASSAGE..... *failed to receive final majority vote*
FAILED, MANDATE ENACTMENT..... *legislation proposing local mandate failed required 2/3 vote*
HELD BY GOVERNOR..... *Governor has not signed; final disposition to be determined at subsequent session*
LEAVE TO WITHDRAW..... *sponsor's request to withdraw legislation granted*
NOT PROPERLY BEFORE THE BODY..... *ruled out of order by the presiding officer; legislation died*
INDEF PP..... *indefinitely postponed; legislation died*
ONTP, ACCEPTED, MAJORITY, MINORITY or REPORT X... *ought-not-to-pass report accepted; legislation died*
P&S XXX..... *chapter # of enacted private & special law*
PUBLIC XXX..... *chapter # of enacted public law*
RESOLVE XXX..... *chapter # of finally passed resolve*
VETO SUSTAINED..... *Legislature failed to override Governor's veto*

The effective date for non-emergency legislation enacted in the First Regular Session of the 127th Legislature is July 29, 2016. The effective date for legislation enacted as an emergency measure may be found in the enacted law summary for that legislation.

Joint Standing Committee on Energy, Utilities and Technology

LD 1302

An Act To Increase Competition and Ensure a Robust Information and Telecommunications Market

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MASON G	ONTP	

This bill was carried over from the First Regular Session of the 127th Legislature.

This bill makes the following changes in the laws governing provider of last resort service:

1. Removes the requirement that a provider of provider of last resort service have the capacity to maintain uninterrupted voice service during a power failure, either through the incorporation into the network or network interface devices of suitable battery backup or through electric current;
2. Provides that after December 31, 2015 and until December 31, 2021:
 - A. No voice network service provider may be required to provide provider of last resort service without its express consent;
 - B. Provider of last resort service will not be provided in any United States census tract area in which there are, in addition to the incumbent local exchange carrier, at least one voice network service provider that provides telephone exchange service to at least 94% of the households in the census tract area and at least one mobile telecommunications services provider that provides mobile telecommunications services to at least 94% of the households in the census tract area;
 - C. For all other areas of the State, referred to as potential provider of last resort service, or POLR, areas, the Public Utilities Commission is required to develop rules establishing a process for designating willing providers of provider of last resort service. An incumbent local exchange carrier that voluntarily agrees to continue providing provider of last resort service in a potential POLR area remains the provider of provider of last resort service in that area until no longer willing to provide the service or until replaced by another provider or until December 31, 2021, whichever occurs first; and
 - D. In order to encourage voice network service providers to provide provider of last resort service in potential POLR areas, the commission is allowed to make available and provide state universal service fund money to providers of provider of last resort service.
3. Provides that after December 31, 2021:
 - A. Provider of last resort service is not available and the commission may not designate any voice network service provider to provide provider of last resort service in any area of the State; and
 - B. The commission is prohibited from requiring contributions to the state universal service fund and may not disburse or authorize disbursement of any money from the fund to any voice network service provider for the purpose of ensuring reasonably comparable consumer rates.
4. Directs the commission to examine all laws and rules relating to provider of last resort service and determine any changes that may be needed to conform those rules and laws to the provisions of this bill. The commission is directed to submit a report, together with any necessary draft legislation to implement its recommendations, to the Joint Standing Committee on Energy, Utilities and Technology by December 15, 2015. The committee is authorized to report out a bill relating to provider of last resort service to the Second Regular Session of the 127th Legislature.