

MAINE STATE LEGISLATURE

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*State Of Maine
121st Legislature*

First Regular Session

Bill Summaries

*Joint Standing Committee
on
Utilities and Energy*

July 2003

Members:

Sen. Christopher G. L. Hall, Chair

Sen. Lynn Bromley

Sen. Edward M. Youngblood

Rep. Lawrence Bliss, Chair

Rep. Herbert Adams

Rep. Albion D. Goodwin

Rep. Peter L. Rines

Rep. Jacqueline A. Lundeen

Rep. Donald P. Berry, Sr.

Rep. Philip A. Cressey, Jr.

Rep. Kenneth C. Fletcher

Rep. Stanley A. Moody

Rep. Maitland E. Richardson

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Maine State Legislature



Office Of Policy And Legal Analysis Office Of Fiscal And Program Review

121st Maine Legislature First 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 and joint 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 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).

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:

<i>CARRIED OVER PURSUANT TO HP 1212</i>	<i>Bills carried over to the 2nd Regular Session</i>
<i>CON RES XXX</i>	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>CONF CMTE UNABLE TO AGREE</i>	<i>Committee of Conference unable to agree; bill died</i>
<i>DIED BETWEEN BODIES</i>	<i>House & Senate disagree; bill died</i>
<i>DIED IN CONCURRENCE</i>	<i>One body accepts ONTP report; the other indefinitely postpones the bill</i>
<i>DIED ON ADJOURNMENT</i>	<i>Action incomplete when session ended; bill died</i>
<i>EMERGENCY</i>	<i>Enacted law takes effect sooner than 90 days</i>
<i>FAILED EMERGENCY ENACTMENT/FINAL PASSAGE</i>	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED ENACTMENT/FINAL PASSAGE</i>	<i>Bill failed to get majority vote</i>
<i>FAILED MANDATE ENACTMENT</i>	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>NOT PROPERLY BEFORE THE BODY</i>	<i>Ruled out of order by the presiding officers; bill died</i>
<i>INDEF PP</i>	<i>Bill Indefinitely Postponed</i>
<i>ONTP</i>	<i>Ought Not To Pass report accepted</i>
<i>OTP-ND</i>	<i>Committee report Ought To Pass In New Draft</i>
<i>P&S XXX</i>	<i>Chapter # of enacted Private & Special Law</i>
<i>PASSED</i>	<i>Joint Order passed in both bodies</i>
<i>PUBLIC XXX</i>	<i>Chapter # of enacted Public Law</i>
<i>RESOLVE XXX</i>	<i>Chapter # of finally passed Resolve</i>
<i>UNSIGNED</i>	<i>Bill held by Governor</i>
<i>VETO SUSTAINED</i>	<i>Legislature failed to override Governor's Veto</i>

Please note that the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is September 13, 2003.

David C. Elliott, Director
Offices located in Room 215 of the Cross Office Building

Joint Standing Committee on Utilities and Energy

LD 804

An Act To Amend the Standard Water District Enabling Act

PUBLIC 147

<u>Sponsor(s)</u> HALL	<u>Committee Report</u> OTP-AM MAJ ONTP MIN	<u>Amendments Adopted</u> S-51
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LD 804 proposed to do the following:

1. Grant to each water district authority to protect the volume and quality of water within its territory;
2. Clarify that the registrar of a standard water district must keep a list of all registered voters within the district;
3. Remove a provision relating to water district trustee compensation that requires that such compensation be specified in the bylaws and be for meetings attended and reimbursement for expenses;
4. Allow a water district to increase its debt limit through a referendum procedure; and
5. Impose a lien on property services by water districts to secure payment for unpaid rates.

Committee Amendment "A" (S-51), which was the majority report of the Joint Standing Committee on Utilities and Energy, proposed to remove that portion of the bill that proposed to grant water districts authority to regulate the volume and water quality of water within their territories. The amendment also proposed to make a technical correction in the bill.

Enacted Law Summary

Public Law 2003, chapter 147 does the following:

1. It clarifies that the registrar of a standard water district must keep a list of all registered voters within the district;
2. It removes a provision of law relating to water district trustee compensation that requires that such compensation be specified in the bylaws and be for meetings attended and reimbursement for expenses; under the new provision trustee compensation is set by the trustees as approved by the municipal officers of the municipalities;
3. It allows a water district to increase its debt limit through a referendum procedure; and
4. It imposes a lien on property served by water districts to secure payment for unpaid rates.

LD 805

An Act To Protect Conservation Trust Funds

PUBLIC 275

<u>Sponsor(s)</u> HALL	<u>Committee Report</u> OTP-AM MAJ OTP-AM MIN	<u>Amendments Adopted</u> S-133
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Joint Standing Committee on Utilities and Energy

LD 805 proposed to do the following:

1. Establish the Sustainable Energy Trust Fund to provide loans or other financial assistance to support sustainable energy projects;
2. Direct the Finance Authority of Maine, with the advice and guidance of the Energy Resources Council, to adopt rules governing eligibility, project feasibility and terms and conditions for the granting of financial assistance from the trust fund;
3. Direct the Public Utilities Commission to assess transmission and distribution utilities to collect funds for deposit in the trust fund;
4. Direct that at least 75% of the trust fund be spent on projects in accordance with priorities established by the Energy Resources Council and at least 20% of the funds be used to support demonstration community projects approved by the Executive Department, State Planning Office that use sustainable, renewable or clean energy technologies;
5. Permit up to 5% of the trust fund to be used to cover administrative expenses; and
6. Eliminate the Renewable Resource Fund and transfer all money into the Sustainable Energy Trust Fund.

Committee Amendment "A" (S-133), which was the majority report of the Joint Standing Committee on Utilities and Energy, proposed to replace the bill and change the title to reflect the changes to the bill. This amendment proposed to deem funds collected from electricity consumers pursuant to the Maine Revised Statutes, Title 35-A, section 3211-A to be held "in trust" for the purposes of benefiting electricity consumers. It also proposed that, in the event these funds are not expended or contracted for expenditure within 2 years of being collected from consumers, the Public Utilities Commission to return the value of those funds to consumers by reducing the assessment it collects from transmission and distribution utilities pursuant to Title 35-A, section 3211-A.

Committee Amendment "B" (S-134), which was the minority report of the Joint Standing Committee on Utilities and Energy, proposed to repeal the conservation program at the Public Utilities Commission. (Not adopted)

Enacted Law Summary

Public Law 2003, chapter 275 deems funds collected from electricity consumers pursuant to the Maine Revised Statutes, Title 35-A, section 3211-A to be held in trust for the purposes of benefiting electricity consumers. In the event these funds are not expended or contracted for expenditure within 2 years of being collected from consumers, the Public Utilities Commission is directed to return the value of those funds to consumers by reducing the assessment it collects from transmission and distribution utilities pursuant to Title 35-A, section 3211-A.