

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals  
(may include minor formatting differences from printed original)

*State Of Maine  
122nd Legislature*

*First Regular Session and  
First Special Session*

*Bill Summaries*

*Joint Standing Committee  
on  
Utilities and Energy*

*August 2005*

**Members:**

*Sen. Philip L. Bartlett II, Chair  
Sen. Scott W. Cowger  
Sen. Carol Weston*

*Rep. Lawrence Bliss, Chair  
Rep. Herbert Adams  
Rep. Peter L. Rines*

*Rep. Christopher W. Babbidge  
Rep. John R. Brautigam  
Rep. Kenneth C. Fletcher  
Rep. Maitland E. Richardson  
Rep. Philip A. Curtis  
Rep. Stacey Allen Fitts  
Rep. Everett W. McLeod, Sr.*

**Staff:**

*Jon C. Clark, Senior Analyst*

*Office of Policy and Legal Analysis  
13 State House Station  
Augusta, ME 04333  
(207) 287-1670*



Maine State Legislature

OFFICE OF POLICY & LEGAL ANALYSIS

13 State House Station, Room 215 Cross State Office Building
Augusta, Maine 04333-0013
Telephone: (207) 287-1670
Fax: (207) 287-1275

122nd Legislature
First Regular Session and First Special Session

Summary of Legislation Considered by the Joint Standing Committees
August 2005

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing 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 organized by committees 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. A subject index for each committee is included immediately before the bill summaries for that committee, and a numerical index by LD number is included 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:

- CARRIED OVER ..... Bill Carried Over to Second Regular Session
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
OTP ND/NT..... Committee report Ought To Pass In New Draft/New Title
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

Please note the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is June 29, 2005; and for non-emergency legislation enacted in the First Special Session is September 17, 2005.

***Joint Standing Committee on Utilities and Energy***

2. Add a Tier 2 requirement for which only a subset of Tier 1 renewable resources would qualify: hydroelectric, biomass and municipal solid waste facilities would be excluded from Tier 2 resources. It proposed to establish as an initial requirement that 1% of a competitive electricity provider’s portfolio be met with Tier 2 resources; the percentage would increase 1/2 % each year to 5% in 2014;
3. Establish an alternative compliance payment of \$35/megawatt-hour for unmet Tier 2 requirements and provide that funds collected be used by the Public Utilities Commission to provide “per-megawatt-hour support payments” to resources eligible for Tier 2; and
4. Require the Public Utilities Commission to allow Tier 2 requirements to be met using renewable credits if it finds a reliable system of credit trading exists.

The committee, by letter, requested that a stakeholder group be formed to examine mechanisms to achieve the goals of this legislation.

This bill relates to the same matter as LD 1434.

This bill was carried over by H.P. 1203 to the next special or regular session of the 122<sup>nd</sup> Legislature.

**LD 1081**                      **Resolve, Directing the Department of Public Safety and the Public Utilities Commission To Review the E-9-1-1 System**                      **ONTP**

<u>Sponsor(s)</u> SEAVEY HOBBINS	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
--	---------------------------------	---------------------------

LD 1081 proposed to direct the Department of Public Safety and the Public Utilities Commission to develop a proposal to improve the efficiency of the E-9-1-1 system and to submit their proposal and any implementing legislation to the Second Regular Session of the 122nd Legislature.

**LD 1098**                      **Resolve, To Establish Energy Standards for Residential Rental Properties**                      **RESOLVE 109**

<u>Sponsor(s)</u> EDER STRIMLING	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-487
--	-----------------------------------	------------------------------------

LD 1098 proposed to require the Public Utilities Commission to study energy standards for existing and new construction of residential rental properties and report to Joint Standing Committee on Utilities and Energy by January 1, 2006. The bill also proposed to require the Public Utilities Commission to propose energy efficiency standards for residential rental properties that are occupied year-round: the standards would be required to include certain elements specified in the bill; the standards would require existing residential rental properties that do not meet the standards to meet them by January 1, 2010 or within 90 days of sale, whichever occurred first; and the

## *Joint Standing Committee on Utilities and Energy*

standards would be required to include a penalty of 1% market value or twice monthly rent for each year a building is out of compliance.

**Committee Amendment "A" (H-487)** proposed to replace the resolve. The amendment proposed to direct the Public Utilities Commission and the Maine State Housing Authority to coordinate discussions among interested stakeholders concerning the energy efficiency of and appropriate efficiency standards for rental properties. It also proposed to direct the Public Utilities Commission and the Maine State Housing Authority to develop a disclosure form by which landlords inform prospective renters whether the rental units meet mandatory or model state energy efficiency codes or standards and of the renters' ability under the Maine Revised Statutes, Title 14, chapter 710-C to discover the units' previous energy consumption and utility costs. The Public Utilities Commission and the Maine State Housing Authority would be required to submit a report on these activities no later than January 31, 2006. The Joint Standing Committee on Utilities and Energy would be authorized to report out legislation relating to the subject matter of the resolve to the Second Regular Session of the 122nd Legislature.

### *Enacted law summary*

Resolve 2005, chapter 109 directs the Public Utilities Commission and the Maine State Housing Authority to coordinate discussions among interested stakeholders concerning the energy efficiency of and appropriate efficiency standards for rental properties. It also directs the Public Utilities Commission and the Maine State Housing Authority to develop a disclosure form by which landlords inform prospective renters whether the rental units meet mandatory or model state energy efficiency codes or standards and of the renters' ability under the Maine Revised Statutes, Title 14, chapter 710-C to discover the units' previous energy consumption and utility costs. The Public Utilities Commission and the Maine State Housing Authority are required to submit a report on these activities no later than January 31, 2006. The Joint Standing Committee on Utilities and Energy is authorized to report out legislation relating to the subject matter of the resolve to the Second Regular Session of the 122nd Legislature.

**LD 1101**

**An Act To Designate Pay Phone Locations in the Public Interest**

**PUBLIC 131**

Sponsor(s)  
ADAMS  
DAMON

Committee Report  
OTP-AM

Amendments Adopted  
H-199

LD 1101 proposed to direct the Public Utilities Commission to adopt routine technical rules to identify locations in the state for public-interest payphones. It proposed to establish certain locations where public-interest pay phones could be designated by the commission, such as where other forms of communication are not available, certain security settings (e.g., jails), or locations for which citizens petition for designation. It proposed to require, prior to removal of a public-interest pay phone, 30-day notice to the commission by the owner of the phone. It proposed that costs of public-interest pay phones be paid through an assessment on owners of pay phones in the State.

**Committee Amendment "A" (H-199)** proposed to replace the bill. It proposed to direct the Public Utilities Commission to establish by rule a process for providing for public-interest pay phones. The commission would be directed to establish procedures for citizens to petition for public-interest pay phones and standards for reviewing such petitions. A proposed public-interest pay phone would be required to fulfill a public health, safety or welfare policy objective, and the commission would be required to find that a pay phone would not otherwise remain or be placed at a proposed public-interest pay phone location by the operation of the competitive