

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
123<sup>RD</sup> LEGISLATURE  
FIRST REGULAR SESSION



Summaries of bills and adopted amendments and laws enacted or finally passed during the First Regular Session of the 123<sup>rd</sup> Maine Legislature coming from the

**JOINT STANDING COMMITTEE ON UTILITIES AND  
ENERGY**

July 2007

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# STATE OF MAINE

123<sup>RD</sup> LEGISLATURE

FIRST 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 First Regular Session of the 123<sup>rd</sup> Maine Legislature, which was in session from December 6, 2006 to June 21, 2007.

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:

|   |   |
|---|---|
| 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 (or Accepted ONTP report).....           | 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.....                                 | Bill held by Governor   |
| VETO SUSTAINED.....                           | Legislature failed to override Governor's Veto                          |

Please note that the effective date for non-emergency legislation enacted in the First Regular Session is **September 20, 2007**. 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

## LD 134 An Act To Encourage the Use of Solar Energy

PUBLIC 29

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| BARTLETT          | OTP-AM MAJ<br>ONTP MIN  | S-11                      |

Current law governing the Public Utilities Commission's solar energy rebate program sets the rebate amount for solar thermal systems in statute at 25% of the cost of a solar thermal system or \$1,250, whichever is less. This bill gives the Public Utilities Commission discretion to set rebate levels for solar thermal systems.

### Committee Amendment "A" (S-11)

This amendment is the majority report of the committee. The amendment retains the provision in the bill that gives the Public Utilities Commission discretion to set rebate levels for solar thermal systems and adds a provision to give the commission discretion to set rebate levels for solar photovoltaic systems.

### Enacted Law Summary

Public Law 2007, chapter 29 gives the Public Utilities Commission discretion to set rebate levels for solar thermal systems and solar photovoltaic systems under the commission's solar energy rebate program.

## LD 229 An Act To Facilitate the Establishment of Tribal Electric Utility Districts

PUBLIC 189

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| PINGREE           | OTP-AM                  | H-184                     |

Under current law, the Passamaquoddy Tribe and the Penobscot Nation possess the authority of municipalities within their respective Indian territories, and municipalities are authorized to form municipal power districts. This bill directs the Public Utilities Commission to authorize, upon application by the Passamaquoddy Tribe or Penobscot Nation, a municipal power district formed by the Passamaquoddy Tribe or Penobscot Nation to serve its respective Indian territory and to direct any transmission and distribution utility serving in that territory to convey to the district, for reasonable compensation, its transmission and distribution assets located within the district.

### Committee Amendment "A" (H-184)

This amendment replaces the bill. The amendment explicitly affirms the right of the Passamaquoddy Tribe and the Penobscot Nation to form and organize tribal power districts with the same rights, powers, privileges, obligations and limitations as municipal power districts. The amendment also clarifies the interaction between the laws governing municipal power districts and the Maine Indian land claims settlement. The purpose of this amendment is to provide the Penobscot Nation and the Passamaquoddy Tribe the opportunity to acquire, develop, finance and provide electric power within their respective Indian territories to allow them to develop a sustainable local economy.

### Enacted Law Summary

Public Law 2007, chapter 189 explicitly affirms the right of the Passamaquoddy Tribe and the Penobscot Nation to form and organize tribal power districts with the same rights, powers, privileges, obligations and limitations as municipal power districts. This law also clarifies the interaction between the laws governing municipal power districts and the Maine Indian land claims settlement. The purpose of this law is to provide the Penobscot Nation and

## *Joint Standing Committee on Utilities and Energy*

the Passamaquoddy Tribe the opportunity to acquire, develop, finance and provide electric power within their respective Indian territories to allow them to develop a sustainable local economy.

**LD 230      An Act To Clarify the Scope of Conservation Programs with Respect to Electricity Use      ONTP**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| BARTLETT          | ONTP                    |                           |

This bill specifies that conservation programs administered by the Public Utilities Commission, in addition to saving electricity, may also result in savings in nonelectric fuels that are incidental to electricity savings.

**LD 240      An Act To Establish a Discounted Cable Rate for Senior Citizens and Assisted Living Facilities      ACCEPTED ONTP REPORT**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| MITCHELL          | ONTP MAJ<br>OTP-AM MIN  |                           |

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to provide a discounted rate for cable television service for senior citizens and persons who reside in assisted living facilities.

**Committee Amendment "A" (S-46)**

This amendment (not adopted) replaces the bill and is the minority report of the committee. The amendment requires a housing facility for older persons that receives a discount on cable television services to pass through 95% of the discount to residents of the facility.

**LD 242      An Act To Establish a "Do Not Fax" List      ONTP**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| MITCHELL          | ONTP                    |                           |

This bill establishes a "Do Not Fax" list to be maintained by the Office of the Attorney General and prohibits the unsolicited transmission of a fax message to a telephone number listed on the "Do Not Fax" list.

The Joint Standing Committee on Utilities and Energy, by letter dated 4/13/07, requested that the Office of the Attorney General and the Office of the Public Advocate each provide information in their consumer publications regarding the laws and regulations governing unsolicited faxes and how consumers can file complaints.

**LD 267      An Act To Ensure Proper Funding of the Public Utilities Commission      PUBLIC 16 EMERGENCY**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| BLISS             | OTP-AM                  | H-11                      |