

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)

LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-THIRD LEGISLATURE

SECOND REGULAR SESSION
January 2, 2008 to March 31, 2008

FIRST SPECIAL SESSION
April 1, 2008 to April 18, 2008

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
JUNE 30, 2008

THE GENERAL EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
NON-EMERGENCY LAWS IS
JULY 18, 2008

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Penmor Lithographers
Lewiston, Maine
2008

**RESOLVES OF THE STATE OF MAINE
AS PASSED AT
THE FIRST SPECIAL SESSION OF THE
ONE HUNDRED AND TWENTY-THIRD LEGISLATURE
2007**

**CHAPTER 182
S.P. 787 - L.D. 1993**

**Resolve, Regarding
Enhancement of Maine's
Cultural Assets**

Preamble. Whereas, the Maine State Cultural Affairs Council serves a vital role in coordinating a comprehensive approach to preserving and promoting the State's cultural heritage; and

Whereas, the Legislature seeks to strengthen its commitment to the preservation and enhancement of the State's cultural assets for the benefit of all its citizens; now, therefore, be it

Sec. 1. Maine State Cultural Affairs Council directed to identify needs of Maine's cultural community and increase visibility of council. Resolved: That the Maine State Cultural Affairs Council, consisting of the Maine State Museum, the Maine State Library, the Maine Arts Commission, the Maine Historic Preservation Commission, the Maine State Archives, the Maine Historical Society and the Maine Humanities Council and referred to in this resolve as "the council," shall review its charge under the Maine Revised Statutes, Title 27, chapter 18 and:

1. Identify ways to increase the council's visibility in State Government;
2. Solicit broad-based public input to identify the needs and aspirations of Maine's cultural community including through a series of statewide forums;
3. Develop ways to broaden citizen participation in the council;
4. Review the council's internal procedures to improve the delivery of services to the citizens of Maine and strengthen the council's image;
5. Identify ways to increase the ability of the council to attract private and public funding to benefit the citizens of Maine through enhanced cultural services; and
6. Explore ways to improve the interaction of the council with the joint standing committee of the Legislature having jurisdiction over education and cultural affairs; and be it further

Sec. 2. Reporting date. Resolved: That no later than January 31, 2009 the council shall submit a

report of its findings and recommendations to the joint standing committee of the Legislature having jurisdiction over education and cultural affairs matters. The council shall include in a report a draft of any legislation necessary to implement its recommendations.

See title page for effective date.

**CHAPTER 183
H.P. 1529 - L.D. 2149**

**Resolve, To Encourage
Renewable Energy and Energy
Conservation in Maine**

Sec. 1. Net energy billing. Resolved: That the Public Utilities Commission shall review and make recommendations for changes to the statutes and rules governing net energy billing for customers of transmission and distribution utilities, including the relevant provisions of the commission's rules governing the purchase of electricity from small generators, in order to promote and encourage energy generation from renewable resources. The review must include, but is not limited to, consideration of the intent of the laws and rules at the time they were established, the status of net energy billing policies in other states and their implementation, the relevant portions of the report of the Governor's Task Force on Wind Power Development in Maine pursuant to Executive Order 31 FY 06/07 and the relevant portions of the commission's final report pursuant to Resolve 2005, chapter 187 regarding continued participation in the New England regional transmission organization.

By January 15, 2009, the commission shall submit a report of its findings and recommendations regarding net energy billing, and any necessary implementing legislation, to the joint standing committee of the Legislature having jurisdiction over utilities and energy matters. The report must, at a minimum, address the following aspects of net energy billing:

1. Limits on installed capacity;
2. The value of kilowatt-hour credits, including options for separating transmission and distribution charges from energy charges;
3. The treatment of net excess generation, including options for excess energy with respect to renewable energy credits; and

4. The proximity of the renewable energy facility to the customer; and be it further

Sec. 2. Interconnection standards for small renewable energy facilities. Resolved: That the Public Utilities Commission shall review and make a determination regarding the establishment of statewide standards for the interconnection of small renewable energy facilities to the energy grid. For the purposes of this section, "small" means an installed capacity of no more than 5 megawatts. In making its determination, the commission shall consider relevant federal laws and rules as well as interconnection standards that have been developed by states and other appropriate entities. If the commission finds that statewide interconnection standards for small renewable energy facilities are advisable, the commission shall proceed to develop such standards. In any development of interconnection standards pursuant to this section, the commission may establish different standards for different tiers of facilities based on generating capacity and may develop any necessary interconnection agreements and related forms, as appropriate.

By January 15, 2009, the commission shall submit a report of its findings and recommendations regarding statewide interconnection standards to the joint standing committee of the Legislature having jurisdiction over utilities and energy matters. The report must include any standards developed pursuant to this section, together with any necessary implementing legislation, as appropriate; and be it further

Sec. 3. Shared ownership of renewable energy facilities. Resolved: That the Public Utilities Commission shall adopt rules to allow for the development of renewable energy facilities under shared ownership and to permit net energy billing, or another more cost-effective alternative to net energy billing, for users of such a facility regardless of the physical distance of the users from the facility. Rules adopted pursuant to this section are major substantive rules as defined in the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A. Rules adopted pursuant to this section must be submitted to the Legislature by January 15, 2009 for review by the joint standing committee of the Legislature having jurisdiction over utilities and energy matters during the First Regular Session of the 124th Legislature; and be it further

Sec. 4. Time-of-use rates; advanced metering infrastructure. Resolved: That the Public Utilities Commission shall develop a proposal for establishing time-of-use rates for commercial and residential electricity customers. The proposal must provide for differential rates for the cost of energy based on the time of use of the energy, adjusted by the level of demand on the energy grid. The commission shall also develop a proposal for an advanced metering infrastructure program that would enable all commercial and residential customers to have installed electric

meters that can provide customers with energy price information. Any proposal developed under this section must be found by the commission to be cost-effective, taking into account the full range of potential costs and benefits, with or without the inclusion of an opt-out provision.

By March 15, 2009, the commission shall submit a report presenting the proposals for time-of-use rates and advanced metering infrastructure to the joint standing committee of the Legislature having jurisdiction over utilities and energy matters. The report must include recommendations regarding implementation of each proposal as well as the results of the cost-benefit analysis of each, together with any necessary implementing legislation. The requirements of this section are not intended to interfere with any pending proceedings before the commission relating to the subject matter of this section; and be it further

Sec. 5. Reuse of waste heat. Resolved: That the director of the Governor's Office of Energy Independence and Security within the Executive Department, referred to in this section as "the director," and the Energy Resources Council established in the Maine Revised Statutes, Title 5, section 3327 shall jointly undertake a project under the direction and leadership of the director to examine opportunities for energy conservation through the reuse of waste heat and make recommendations for eliminating barriers to and creating incentives for the installation of systems that conserve energy through the reuse of waste heat. The project must include an examination of technical and policy issues and consideration of tax incentives and other policies and programs to encourage such systems. The director and the Energy Resources Council shall also jointly develop a plan to reduce peak-load energy consumption in existing and new state government buildings.

By December 1, 2009, the Governor's Office of Energy Independence and Security shall submit a report that includes findings and recommendations regarding energy conservation through the reuse of waste heat and the plan for reducing peak consumption in state government buildings, together with any necessary implementing legislation, to the joint standing committee of the Legislature having jurisdiction over utilities and energy matters; and be it further

Sec. 6. Authority for legislation. Resolved: That, after receipt and review of any report required by this resolve, the joint standing committee of the Legislature having jurisdiction over utilities and energy matters may submit legislation concerning the subject matter of the report to the First Regular Session or the Second Regular Session of the 124th Legislature, as appropriate.

See title page for effective date.