

# MAINE STATE LEGISLATURE

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*State Of Maine  
120th Legislature*

*Second Regular Session*

*Bill Summaries*

*Joint Standing Committee  
on  
Utilities and Energy*

*May 2002*

**Members:**

*Sen. Norman K. Ferguson, Jr., Chair  
Sen. Sharon Anglin Treat  
Sen. David L. Carpenter*

*Rep. William R. Savage, Chair  
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Maine State Legislature
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120th Legislature
Second Regular Session

Summary Of Legislation Before The Joint Standing Committees
May 2002

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 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.

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..... 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
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 the effective date for all non-emergency legislation enacted in the Second Regular Session (unless otherwise specified in a particular law) is July 25, 2002.

Patrick T. Norton, Interim Director
Offices located in Room 215 of the Cross Office Building

# Joint Standing Committee on Utilities and Energy

**LD 420**

**An Act to Strengthen Energy Conservation**

**PUBLIC 624  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAVAGE W FERGUSON	OTP-AM MAJ OTP-AM MIN	H-961

LD 420, which was carried over from the First Regular Session, proposed to increase the cap on the total conservation program expenditures for each transmission and distribution utility to .25 cent per kilowatt hour and to require the Public Utilities Commission, in setting such expenditures levels, to consider levels of conservation program expenditures in other New England states.

**Committee Amendment "A" (H-961)**, which was the majority report of the committee, proposed to replace the bill. This amendment proposed to:

1. Remove the responsibility for developing and monitoring the implementation of conservation programs from the State Planning Office;
2. Remove responsibility for administering new conservation programs from transmission and distribution utilities;
3. Direct the Public Utilities Commission to develop and administer conservation programs funded through assessments on transmission and distribution utilities;
4. Establish goals and guidelines for the commission in undertaking its responsibilities with respect to conservation programs;
5. Direct the commission to secure relevant expertise in carrying out its conservation-related responsibilities;
6. Allow the commission to use a portion of the funds collected for conservation programs for administrative costs of the commission in carrying out its responsibilities;
7. Require the commission to report annually to the joint standing committee of the Legislature having jurisdiction over utilities and energy matters on funds raised and spent and activities taken with respect to conservation programs;
8. Authorize transmission and distribution utilities to create transition benefit plans for employees who are laid off as a result of the transfer to the commission of the administration of conservation programs;
9. In order to facilitate start-up of conservation programs, authorize the commission to implement on a short-term basis, without satisfying all the procedural requirements of the new law, conservation programs that the commission finds to be cost effective;
10. Require the commission to adjudicate contract disputes relating to the administration of existing conservation-related contracts by transmission and distribution utilities, establish an arbitration process to

## Joint Standing Committee on Utilities and Energy

settle such disputes, and establish certain standards for contract interpretation by the commission and arbitrators in settling such disputes;

11. Require the commission to report on the feasibility of assuming the administration of existing conservation-related contracts;
12. Add an emergency preamble and emergency clause to the bill; and
13. Add an allocation section to the bill and a fiscal note.

**Committee Amendment "B" (H-962 )**, which was the minority report of the committee, proposed to replace the bill and change the title to reflect the content of the amendment. This amendment proposed to remove all funding for the electric energy conservation program and to eliminate the program. The amendment also proposed to add an allocation section and a fiscal note to the bill.

### *Enacted law summary*

Public Law 2001, chapter 624, removes the responsibility for developing and monitoring the implementation of energy conservation programs from the State Planning Office; removes responsibility for administering new conservation programs from transmission and distribution utilities; directs the Public Utilities Commission to develop and administer conservation programs funded through assessments on transmission and distribution utilities; establishes goals and guidelines for the commission in undertaking its responsibilities with respect to conservation programs; directs the commission to secure relevant expertise in carrying out its conservation-related responsibilities; allows the commission to use a portion of the funds collected for conservation programs for administrative costs of the commission in carrying out its responsibilities; requires the commission to report annually to the joint standing committee of the Legislature having jurisdiction over utilities and energy matters on funds raised and spent and activities taken with respect to conservation programs; authorizes transmission and distribution utilities to create transition benefit plans for employees who are laid off as a result of the transfer to the commission of the administration of conservation programs; in order to facilitate start-up of conservation programs, authorizes the commission to implement on a short-term basis, without satisfying all the procedural requirements of the new law, conservation programs that the commission finds to be cost effective; requires the commission to adjudicate contract disputes relating to the administration of existing conservation-related contracts by transmission and distribution utilities, establishes an arbitration process to settle such disputes, and establishes certain standards for contract interpretation by the commission and arbitrators in settling such disputes; requires the commission to report on the feasibility of assuming the administration of existing conservation-related contracts.

Public Law 2001, chapter 624 was enacted as an emergency measure effective April 5, 2002.

**LD 646**

**An Act to Establish the Energy Resources Council**

**PUBLIC 630**

Sponsor(s)  
MCKEE  
TREAT

Committee Report  
OTP-AM

Amendments Adopted  
H-882