

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 669

An Act To Strengthen the Energy Resources Council

**PUBLIC 487
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HALL	OTP-AM MAJ ONTP MIN	S-200 H-567 RICHARDSON J

LD 669 proposed to require the Energy Resources Council to undertake a comprehensive review of state energy and energy-related policy and prepare and submit a report of its findings and recommendations to the Joint Standing Committee on Utilities and Energy by December 1, 2003. The bill also proposed to provide funding from the conservation program fund established pursuant to the Maine Revised Statutes, Title 35-A, section 3211-A, subsection 5 to provide staff for the council.

Committee Amendment "A" (S-200), which was the majority report of the Joint Standing Committee on Utilities and Energy, proposed to replace the bill. The amendment proposed to do the following:

1. Change the funding support for the Energy Resources Council. Currently funding is provided by member agencies. This amendment proposed to direct the council to seek federal funding. To the extent such funding is insufficient, member agencies would be directed to enter into an agreement to share the costs of staff. It also proposed to authorize the council to seek, and the Public Utilities Commission to provide, up to \$200,000 from the conservation program fund to support legislatively directed activities of the council and projects generally consistent with the purposes of the program fund;
2. Direct the council to undertake a study of energy-related policy and its implementation, with particular focus on energy efficiency and renewable energy. It proposed to provide for 4 members of the Legislature to be appointed to participate in the council's study. It proposed to require the council to hold a hearing outside of Augusta and to issue its report by January 31, 2004;
3. Authorize the Joint Standing Committee on Utilities and Energy to report out legislation in response to the report; and
4. Add an emergency preamble and emergency clause to the bill and an allocation section.

House Amendment "A" to Committee Amendment "A" (H-567) proposed to change the reporting date of the Energy Resources Council and specify the number of times it can meet for the purpose of energy study (4 meetings). It proposed to remove the requirement that the council hold a public hearing once in Augusta, and it proposed to remove language that allows the council to request assistance from the Legislative Council. It also proposed to decrease the Other Special Revenue Funds allocation and the amount of funds to be transferred from the Public Utilities Commission's conservation program for the purpose of paying the per diem and expenses of legislators' involvement in the study.

Enacted Law Summary

Public Law 2003, chapter 487 does the following:

1. It changes the funding support for the Energy Resources Council. Currently funding is provided by member agencies. This amendment directs the council to seek federal funding. To the extent such funding is insufficient, member agencies are directed to enter into an agreement to share the costs of staff. It also

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authorizes the council to seek, and the Public Utilities Commission to provide, up to \$200,000 from the conservation program fund to support legislatively directed activities of the council and projects generally consistent with the purposes of the program fund.

2. It directs the council to undertake a study of energy-related policy and its implementation, with particular focus on energy efficiency and renewable energy. It provides for 4 members of the Legislature to be appointed to participate in the council's study.

Public Law 2003, chapter 487 is an emergency measure effective June 23, 2003.

LD 671 **An Act To Facilitate the Development of Cost-effective Distributed Electricity Generation in the State** **CARRIED OVER**

<u>Sponsor(s)</u> HALL	<u>Committee Report</u>	<u>Amendments Adopted</u>
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LD 671 proposes to:

1. Establish a regulatory structure for distributed generation designed to remove unnecessary barriers to the development of distributed generation in this State;
2. Require the Public Utilities Commission to establish rules governing the retail sale of excess electricity from a distributed generator;
3. Authorize the commission to require a transmission and distribution utility to purchase excess electricity from a distributed generator and resell it at wholesale;
4. Direct the commission to allow certain distributed generators to elect a net energy billing arrangement; and
5. Direct the commission to examine and address issues related to distributed generation and report back to the Joint Standing Committee on Utilities and Energy by January 1, 2004.

LD 678 **An Act To Amend the Charter of the Lubec Water and Electric District** **P & S 15 EMERGENCY**

<u>Sponsor(s)</u> SHOREY	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> S-46
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LD 678 proposed to amend the Charter of the Lubec Water and Electric District to take into account the sale of the district's electric business on August 1, 1990. The bill proposed to make the charter amendment subject to approval of the voters at referendum. The bill also proposed to amend the charter to require the trustees to be residents of the district and to limit the election of trustees to the ratepayers of the district.

Committee Amendment "A" (S-46) proposed to: