

# 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*

**Staff:**

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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](http://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 2<sup>nd</sup> 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 &amp; 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&amp;S XXX</i> .....	<i>Chapter # of enacted Private &amp; 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 1252**

### **An Act To Authorize Water and Wastewater Districts To Lease Their Assets**

**PUBLIC 267**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCLAUGHLIN	OTP-AM MAJ	H-316
MAYO	ONTP MIN	

LD 1252 proposed to provide that a consumer-owned water or wastewater district may enter into lease and leaseback or sale and leaseback transactions and to provide certain property tax exemptions for property subject to such transactions.

**Committee Amendment "A" (H-316)**, which was the majority report of the Joint Standing Committee on Utilities and Energy, proposed to replace the bill. It proposed to remove references to property tax exemptions, eliminate references to sale and leaseback transactions, limit leaseback transactions to property other than land and define leases to include leases of any length, including leases that may be defined as sales for income tax purposes.

#### ***Enacted Law Summary***

Public Law 2003, chapter 267 provides that a consumer-owned water or wastewater district may enter into lease and leaseback transactions with respect to property other than land. It also defines leases to include leases of any length, including leases that may be defined as sales for income tax purposes.

**LD 1261**

### **An Act To Support Clean and Efficient Energy for the Future of Maine's Economy and Environment**

**CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TREAT		
BLISS		

LD 1261 proposed to:

1. Establish minimum energy efficiency standards for certain products, such as ceiling fans, illuminated exit signs, traffic signal lights and digital cable television boxes. The bill proposed that, beginning January 1, 2005, the sale of a product that does not meet the energy efficiency standards would be prohibited and, beginning January 1, 2006, installation of such a product would be prohibited. (This portion of the bill is substantively identical to the provisions of LD 1187);
2. Increase the assessment imposed by the Public Utilities Commission on transmission and distribution utilities to 0.2¢ per kilowatt-hour to fund energy conservation programs;
3. Impose an additional assessment on transmission and distribution utilities of 0.1¢ per kilowatt-hour to fund a Clean Energy Fund in the Public Utilities Commission to encourage the development, construction and operation of new renewable energy resources projects, defined as electrical generation powered by fuel cells using renewable fuels; tidal, ocean or wave power; solar arrays and installations; wind power; and geothermal power. (See LD 1312);

## *Joint Standing Committee on Utilities and Energy*

4. Establish progressively higher goals for new renewable energy generation installed in the State ranging from 50 mw by the end of 2006 to 500 mw by the end of 2015. (See LD 1312);
5. Establish the Clean Energy Advisory Committee to review and assess the progress of the State in promoting the development of new renewable energy and in meeting the goals set for increasing new renewable energy generation; and
6. Direct the Energy Resources Council, in consultation with the PUC, to develop recommendations for means of encouraging renewable energy and, in consultation with the PUC and the DECD, to study the need for revisions to building codes used in Maine (See LDs 233 & 1321).

**LD 1312**

**Resolve, Relating to Renewable Resources**

**RESOLVE 45**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
COLWELL WESTON	OTP-AM	H-317

LD 1312 proposed to amend the laws governing electric industry restructuring as they relate to the 30% renewable portfolio standard. The bill proposed to define "eligible renewable resource" to mean an electrical generator facility that relies on certain specific fuel sources. The bill proposed to require that, beginning March 1, 2005, no less than 0.5% of supply sources for retail electricity sales in this State is accounted for by eligible renewable resources that are constructed after January 1, 2002. This percentage would increase 0.5% per year until it reached 5% in 2014. The bill proposed to direct the Public Utilities Commission to establish the Maine Renewable Resource Fund to support eligible renewable resources in this State, renewable resource research and development and to fund demonstration community projects using renewable energy technologies.

**Committee Amendment "A" (H-317)** proposed to replace the bill. This amendment proposed to direct the Public Utilities Commission to examine mechanisms designed to ensure a secure, adequate and reliable supply of electricity for state residents and to maintain and increase the State's use of renewable and indigenous resources. The commission would be directed to submit the results of its examination to the Joint Standing Committee on Utilities and Energy by December 31, 2003 and the committee would be authorized to report out legislation in response to the commission's examination.

### ***Enacted Law Summary***

Resolve 2003, chapter 45 directs the Public Utilities Commission to examine mechanisms designed to ensure a secure, adequate and reliable supply of electricity for state residents and to maintain and increase the State's use of renewable and indigenous resources. The commission is directed to submit the results of its examination to the Joint Standing Committee on Utilities and Energy by December 31, 2003 and the committee is authorized to report out legislation in response to the commission's examination.