

# MAINE STATE LEGISLATURE

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*State Of Maine  
121st Legislature*

*Second Regular Session and  
Second Special Session*

*Bill Summaries*

*Joint Standing Committee  
on  
Utilities and Energy*

*May 2004*

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*Maine State Legislature*



*Office Of Policy And Legal Analysis  
Office Of Fiscal And Program Review*

*121st Maine Legislature  
Second Regular Session and  
Second Special 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/billsumm.htm](http://www.state.me.us/legis/opla/billsumm.htm)).

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*
- 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 all non-emergency legislation enacted in the Second Regular Session (unless otherwise specified in a particular law) is April 30, 2004; and non-emergency legislation enacted in the Second Special Session is July 30, 2004. Four bills (LD's 1572, 1629, 1636 and 1637) that were considered at the First Special Session in August 2003 are also included in these summaries.

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## *Joint Standing Committee on Utilities and Energy*

3. It directs the Public Utilities Commission to adopt through major substantive rules a model building energy code that is consistent with other state codes, including the commercial, institutional and multifamily state building standards, and any model building codes adopted by the State;
4. It provides that after the model building energy code takes effect, municipalities would be required on a going-forward basis to choose the model code if they choose to adopt an energy code; municipalities would not be required to adopt an energy code or to replace any existing code;
5. It directs the Public Utilities Commission to examine enforcement issues related to building energy codes; and

It authorizes the joint standing committee of the Legislature having jurisdiction over utilities and energy matters to report out legislation to the First Regular Session of the 122nd Legislature concerning building energy codes, including but not limited to legislation concerning the application of the model building energy code and the enforcement of state building energy standards.

**LD 1949**

### **An Act Relating to Certain Energy Responsibilities of the Public Utilities Commission**

**PUBLIC 644**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP      MAJ	
	ONTP     MIN	

LD 1949, which was reported by a majority of the Joint Standing Committee on Utilities and Energy pursuant to its authority under Public Law 2003, chapter 497, proposed to repeal various energy-related responsibilities of the Department of Economic and Community Development and move the substance of most of those responsibilities to the Public Utilities Commission. The bill proposed to give greater flexibility to the commission in administering these responsibilities.

In particular, the bill proposed to repeal laws relating to a manual of accepted practices for building energy standards, an information fact sheet concerning insulation materials, a solar equipment warranty, a solar energy equipment installers voluntary certificate program, and an energy auditors voluntary certificate program. The bill proposed to require the Public Utilities Commission to provide public information about energy technologies and energy efficiency practices; to examine and consider developing information manuals, including a manual of accepted practices, fact sheets, including a fact sheet on insulation materials, and training programs for persons who install, maintain or use energy technologies or must comply with energy-related standards; and to establish, to the extent funds and resources are available, a voluntary training program for installers of solar equipment and a voluntary training program for energy auditors. The bill proposed to direct the commission to seek federal funding sources to support the provision of such services and to authorize the commission to charge reasonable fees for such services if federal funding is not available or sufficient.

The bill also proposed to repeal a provision of law relating to federal programs that the Public Utilities Commission is required to administer and instead directs the commission to administer the United States Department of Energy State Energy Program and other federally funded programs related to functions that the commission performs.

The bill proposed to move responsibility for the federally funded Energy Conservation Small Business Revolving Loan Program from the Department of Economic and Community Development to the Public Utilities Commission.

## *Joint Standing Committee on Utilities and Energy*

This move was intended to be accomplished by legislation passed in a prior session but for technical reasons was not fully accomplished.

### *Enacted law summary*

Public Law 2003, chapter 644 repeals various energy-related responsibilities of the Department of Economic and Community Development and moves the substance of most of those responsibilities to the Public Utilities Commission. Public Law 2003, chapter 644 gives greater flexibility to the commission in administering these responsibilities.

In particular, Public Law 2003, chapter 644 repeals law relating to a manual of accepted practices for building energy standards, an information fact sheet concerning insulation materials, a solar equipment warranty, a solar energy equipment installers voluntary certificate program; and an energy auditors voluntary certificate program. Public Law 2003, chapter 644 requires the Public Utilities Commission to provide public information about energy technologies and energy efficiency practices; to examine and consider developing information manuals, including a manual of accepted practices, fact sheets, including a fact sheet on insulation materials, and training programs for persons who install, maintain or use energy technologies or must comply with energy-related standards; and to establish, to the extent funds and resources are available, a voluntary training program for installers of solar equipment and a voluntary training program for energy auditors. Public Law 2003, chapter 644 directs the commission to seek federal funding sources to support the provision of such services and authorizes the commission to charge reasonable fees for such services if federal funding is not available or sufficient.

Public Law 2003, chapter 644 also repeals a provision of law relating to federal programs that the Public Utilities Commission is required to administer and instead directs the commission to administer the United States Department of Energy State Energy Program and other federally funded programs related to functions that the commission performs.

Public Law 2003, chapter 644 moves responsibility for the federally funded Energy Conservation Small Business Revolving Loan Program from the Department of Economic and Community Development to the Public Utilities Commission. This move was intended to be accomplished by legislation passed in a prior session but for technical reasons was not fully accomplished.