

MAINE STATE LEGISLATURE

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*State Of Maine
122nd Legislature*

*First Regular Session and
First Special Session*

Bill Summaries

*Joint Standing Committee
on
Utilities and Energy*

August 2005

Members:

*Sen. Philip L. Bartlett II, Chair
Sen. Scott W. Cowger
Sen. Carol Weston*

*Rep. Lawrence Bliss, Chair
Rep. Herbert Adams
Rep. Peter L. Rines*

*Rep. Christopher W. Babbidge
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Rep. Kenneth C. Fletcher
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Rep. Everett W. McLeod, Sr.*

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Maine State Legislature

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122nd Legislature
First Regular Session and First Special Session

Summary of Legislation Considered by the Joint Standing Committees
August 2005

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 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 organized by committees 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. A subject index for each committee is included immediately before the bill summaries for that committee, and a numerical index by LD number is included 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:

- CARRIED OVER Bill Carried Over to Second Regular Session
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
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 First Regular Session (unless otherwise specified in a particular law) is June 29, 2005; and for non-emergency legislation enacted in the First Special Session is September 17, 2005.

Joint Standing Committee on Utilities and Energy

LD 1051 **Resolve, Establishing a Study Commission To Examine Water District Fees Assessed for Fire Suppression** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
COURTNEY CAMPBELL	ONTP	

LD 1051 was a concept draft pursuant to Joint Rule 208. It proposed to establish a study commission to examine water district fees assessed for fire suppression. The membership of the study commission would include interested parties throughout the State. The study commission would be charged with examining whether water district fees assessed for fire suppression are equitable and the ramifications of altering those fees and whether the amounts charged to municipalities should be limited in some way. The commission would be given authority to report its findings to the Second Regular Session of the 122nd Legislature.

The committee by letter requested that the PUC, working with certain stakeholder groups, develop materials and educational seminars so that municipalities and water utilities better understand the methodology for the calculation public fire protection charges and the rationality behind that methodology.

LD 1052 **An Act To Require Municipalities To Institute Sewer Service Charges** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAMON PINGREE	ONTP	

LD 1052 proposed to require municipalities after January 1, 2007 to pay for a municipal sewer or disposal system only through user fees and to prohibit a town from paying any such costs from other municipal funds. Currently municipalities that provide sewer service have the option whether or not to institute user fees to pay for some or all sewer system costs.

LD 1065 **An Act To Promote Economic Development and Sustainable Energy** **CARRIED OVER**

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

LD 1065 proposed to amend the law concerning the eligible resource portfolio requirement for competitive electricity providers. The bill proposed to:

1. Modify eligibility for the current 30% eligible resource portfolio requirement and rename it a Tier 1 portfolio requirement. It proposed to modify the definition of renewable resources that qualify for this requirement by eliminating reference to federally-qualified (PURPA) small power facilities; qualifying eligibility for wind facilities by requiring at least 50% of the wind power be generated on land of tribes federally recognized after January 1, 1979; and adding landfill gas to the list of eligible resources;

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2. Add a Tier 2 requirement for which only a subset of Tier 1 renewable resources would qualify: hydroelectric, biomass and municipal solid waste facilities would be excluded from Tier 2 resources. It proposed to establish as an initial requirement that 1% of a competitive electricity provider's portfolio be met with Tier 2 resources; the percentage would increase 1/2 % each year to 5% in 2014;
3. Establish an alternative compliance payment of \$35/megawatt-hour for unmet Tier 2 requirements and provide that funds collected be used by the Public Utilities Commission to provide "per-megawatt-hour support payments" to resources eligible for Tier 2; and
4. Require the Public Utilities Commission to allow Tier 2 requirements to be met using renewable credits if it finds a reliable system of credit trading exists.

The committee, by letter, requested that a stakeholder group be formed to examine mechanisms to achieve the goals of this legislation.

This bill relates to the same matter as LD 1434.

This bill was carried over by H.P. 1203 to the next special or regular session of the 122nd Legislature.

LD 1081 **Resolve, Directing the Department of Public Safety and the Public Utilities Commission To Review the E-9-1-1 System** **ONTP**

<u>Sponsor(s)</u> SEAVEY HOBBINS	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 1081 proposed to direct the Department of Public Safety and the Public Utilities Commission to develop a proposal to improve the efficiency of the E-9-1-1 system and to submit their proposal and any implementing legislation to the Second Regular Session of the 122nd Legislature.

LD 1098 **Resolve, To Establish Energy Standards for Residential Rental Properties** **RESOLVE 109**

<u>Sponsor(s)</u> EDER STRIMLING	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-487
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LD 1098 proposed to require the Public Utilities Commission to study energy standards for existing and new construction of residential rental properties and report to Joint Standing Committee on Utilities and Energy by January 1, 2006. The bill also proposed to require the Public Utilities Commission to propose energy efficiency standards for residential rental properties that are occupied year-round: the standards would be required to include certain elements specified in the bill; the standards would require existing residential rental properties that do not meet the standards to meet them by January 1, 2010 or within 90 days of sale, whichever occurred first; and the