

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

Advocate is directed to disburse amounts in the fund in order to pay or contribute to the payment of costs incurred by agencies with respect to federal or state proceedings; safety, radiation and environmental monitoring; and security or other oversight-related activities related to the decommissioning of a nuclear power plant or the development or operation of an interim spent fuel storage facility in this State. The Public Advocate is required to keep an annual accounting of all funds received by the fund and all disbursements from the fund and to make a report of this accounting to the Utilities and Energy Committee by the first Monday in February of each year.

Public Law 2005, chapter 254 eliminates the requirement in the Maine Revised Statutes, Title 35-A for monitoring and reporting of routine radioactive releases from a nuclear power plant.

Public Law 2005, chapter 254 terminates the position of the State Nuclear Safety Inspector on September 30, 2006. It also eliminates the fees associated with funding that position, the Health and Environmental Testing Lab, and the Nuclear Safety Advisor. It also removes a requirement that assessments on low-level radioactive waste generators to fund the Radioactive Waste Fund result in a specific total amount; Maine Yankee will remain subject to assessments for actual shipments of low-level radioactive waste.

Public Law 2005, chapter 254 eliminates, after the payment made in July 2005, the requirement that Maine Yankee reimburse the Department of Environmental Protection for costs incurred by the department in conducting activities related to the decommissioning. It also amends the sunset on the fee to fund the Advisory Commission on Radioactive Waste and allows any remaining funds to be kept by the DEP rather than returned to Maine Yankee.

LD 1347

Resolve, Directing the Public Utilities Commission To Amend Its Rules Governing Net Energy Billing CARRIED OVER-
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Sponsor(s)
PINKHAM

Committee Report

Amendments Adopted

LD 1347 proposed to direct the Public Utilities Commission to amend its rules governing net energy billing as follows: to change the requirement that the renewable facility used for net energy billing be located on or in the vicinity of the customer's premises to a requirement that it be located in the service area of a utility and to require a utility to provide net energy billing to a customer based on all accounts in that customer's name. Current Public Utilities Commission net billing rules (Ch. 313) allow for netting self-generation against power from the system (including transmission and delivery service) over a 12-month period by a renewable generator with a capacity of 100kW or less that is "located on or in the vicinity of the customer's premises." The PUC currently interprets its rules to allow all structures owned by a customer and located near the generator to be net billed; it does not permit an association of customers to net their load against the generator's output.

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