

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
123<sup>RD</sup> LEGISLATURE  
FIRST REGULAR SESSION



Summaries of bills and adopted amendments and laws enacted or finally passed during the First Regular Session of the 123<sup>rd</sup> Maine Legislature coming from the

**JOINT STANDING COMMITTEE ON UTILITIES AND  
ENERGY**

July 2007

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# STATE OF MAINE

123<sup>RD</sup> LEGISLATURE

FIRST REGULAR SESSION

## LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS



This *Legislative Digest of Bill Summaries and Enacted Laws* summarizes all bills and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 123<sup>rd</sup> Maine Legislature, which was in session from December 6, 2006 to June 21, 2007.

The *Digest* is arranged alphabetically by committee, and within each committee by LD number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are summarized and listed by paper number. A subject index is included with each committee. The appendices include a summary of relevant session statistics, an index of all bills by LD number and an index of enacted laws by law type and chapter number.

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 (or Accepted ONTP report).....	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 non-emergency legislation enacted in the First Regular Session is **September 20, 2007**. The effective date for legislation enacted as an emergency measure is specified in the enacted law summary for those bills.

***Joint Standing Committee on Utilities and Energy***

**LD 352      An Act To Provide an Appeal Process Regarding Rate Increases of  
Certain Quasi-municipal Districts and Corporations      ONTP**

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

This bill provides a process for consumers to appeal a water or sewer rate increase adopted by a quasi-municipal corporation or district that services a single municipality. Specifically, the bill provides the opportunity for ratepayers to appeal the rate increase to the municipal officers of the municipality upon the written petition of 10 ratepayers. The bill also provides the opportunity for ratepayers to appeal the rate increase through a referendum if the municipal officers uphold the rate increase.

**LD 369      An Act To Require High-speed Internet Access for All Maine Residents      ONTP**

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

This bill requires telephone utilities operating in Maine to provide high-speed Internet access to any Maine resident who requests it, except for residents of unorganized territories.

**LD 393      Resolve, Establishing a Commission To Develop Methods for the State  
To Promote the Generation of Electrical Power in an Environmentally  
Sound Manner and Independent of Foreign Fuel Imports      ACCEPTED ONTP  
REPORT**

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

This resolve establishes the Commission to Develop Methods for the State to Promote the Generation of Electrical Power in an Environmentally Sound Manner and Independent of Foreign Fuel Imports. The commission consists of 6 Legislators and 3 members with expertise in the generation of electricity. The resolve requires the commission to meet at least twice and report its findings, recommendations and any implementing legislation to the Joint Standing Committee on Utilities and Energy and the Legislative Council no later than January 4, 2008. The commission is authorized to introduce legislation related to its report to the Second Regular Session of the 123rd Legislature.

**Committee Amendment "A" (H-150)**

This amendment (not adopted) incorporates a fiscal note and is the minority report of the committee.

**LD 398      An Act To Require Transmission Lines To Be Placed Underground near  
Certain Facilities      CARRIED OVER**

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

## *Joint Standing Committee on Utilities and Energy*

This bill requires that high-voltage transmission lines capable of operating at 115 kilovolts or more constructed, rebuilt or relocated on or after October 1, 2007 near areas that are frequently used by children, including residential areas, public playgrounds, schools, child care facilities and children's camps, be placed underground. The bill directs the Public Utilities Commission to adopt rules regarding this requirement, and it provides an exemption from the requirement if a transmission and distribution utility can demonstrate to the Public Utilities Commission that it is technologically infeasible to place the transmission line underground.

This bill was carried over by H.P. 1369 to any special or regular session of the 123rd Legislature.

**LD 409      Resolve, To Study Alternative Fuel Use by Schools and Public Buildings**

**ONTP**

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

This resolve is a concept draft pursuant to Joint Rule 208. This resolve proposes to study methods of encouraging the use of alternative fuels, including, but not limited to, wood chips, as an energy source in public buildings and schools.

The Joint Standing Committee on Utilities and Energy, by letter dated 4/13/07, requested that the Governor's Office on Energy Independence and Security address the issues presented in LD 1079 and LD 409 and report back to the committee by January 15, 2008.

**LD 413      Resolve, Regarding the Reentry of Electric Utilities into the Energy Supply Business**

**RESOLVE 54**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RINES	OTP-AM	H-280

This bill is a concept draft pursuant to Joint Rule 208. This bill would remove the prohibition in Maine's electric utility restructuring laws that currently prohibits electric utilities from owning and operating generation service. It would allow utilities to own and operate electric generation service and provide energy and energy services to their customers, subject to regulation by the Public Utilities Commission.

**Committee Amendment "A" (H-280)**

This amendment replaces the bill with a resolve. The amendment directs the Public Utilities Commission to undertake a review of issues related to electric utilities' participation in the energy supply business and requires that the review be conducted through a public investigative proceeding. The amendment requires the Public Utilities Commission to report its findings and recommendations to the Joint Standing Committee on Utilities and Energy by January 15, 2008 and authorizes the committee to submit legislation related to the report to the Second Regular Session of the 123rd Legislature.

**Enacted Law Summary**

Resolve 2007, chapter 54 directs the Public Utilities Commission to undertake a review of issues related to electric utilities' participation in the energy supply business and requires that the be conducted through a public investigative proceeding. The resolve requires the Public Utilities Commission to report its findings and recommendations to the Joint Standing Committee on Utilities and Energy by January 15, 2008 and authorizes the committee to submit legislation related to the report to the Second Regular Session of the 123rd Legislature.