

MAINE STATE LEGISLATURE

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STATE OF MAINE
123RD LEGISLATURE
FIRST REGULAR SESSION



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

**JOINT STANDING COMMITTEE ON UTILITIES AND
ENERGY**

July 2007

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STATE OF MAINE

123RD 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 123rd 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

compatibility and cost has been accomplished. This amendment requires the Public Utilities Commission within its existing resources to work with the Department of Public Safety and affected municipalities in Kennebec County to examine those issues and to report its findings and recommendations to the Joint Standing Committee on Utilities and Energy no later than January 1, 2008. The amendment authorizes the joint standing committee to submit legislation to the Second Regular Session of the 123rd Legislature.

Senate Amendment "C" (S-335)

This amendment (not adopted) eliminates the requirement that the Public Utilities Commission amend its rules to require 2 public safety answering points in Kennebec County and instead delays implementation of the consolidation of public safety answering points in Kennebec County until October 1, 2009. This amendment requires the Department of Public Safety within its existing resources to work with the Public Utilities Commission and affected municipalities in Kennebec County to examine issues concerning software compatibility and cost and other potential configurations. It requires the department to identify a mechanism to ensure that any savings that will accrue from consolidation of public safety answering points in Kennebec County are returned to the affected member municipalities. It also requires the department to report its findings and recommendations to the Joint Standing Committee on Utilities and Energy no later than January 1, 2008 and authorizes the joint standing committee to submit legislation to the Second Regular Session of the 123rd Legislature.

LD 627 An Act To Ensure Uniform Emergency Medical Dispatch Services in Maine

**PUBLIC 42
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RINES	OTP-AM	H-30

This bill clarifies the emergency medical dispatch (EMD) role of public safety answering points (PSAP) and requires state licensure for all persons and entities engaged in EMD. The current statute requires certification only for PSAPs and dispatchers who are employed by the PSAPs. This bill provides flexibility for PSAPs to enter into cooperative agreements with non-PSAPs to provide EMD services and ensures that non-PSAPs engaged in EMD do so in accordance with rules established by the Emergency Medical Services' Board.

Committee Amendment "A" (H-30)

This amendment eliminates a reference to January 1, 2007 in the bill to ensure that all provisions contained in the bill take effect upon the effective date of the legislation.

Enacted Law Summary

Public Law 2007, chapter 42 clarifies the emergency medical dispatch (EMD) role of public safety answering points (PSAP) and requires state licensure for all persons and entities engaged in EMD. This law provides flexibility for PSAPs to enter into cooperative agreements with non-PSAPs to provide EMD services and ensures that non-PSAPs engaged in EMD do so in accordance with rules established by the Emergency Medical Services' Board.

Public Law 2007, chapter 42 was enacted as an emergency measure effective April 10, 2007.

LD 645 An Act To Promote Municipal Energy Conservation

PUBLIC 66

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
EBERLE BARTLETT	OTP-AM	H-45

Joint Standing Committee on Utilities and Energy

This bill establishes funding to provide grants to municipalities to identify cost-effective energy conservation measures and improvements to municipal buildings and municipal vehicle fleets to achieve energy savings. The bill provides for grants of up to \$40,000 for 5 to 10 municipalities annually. The bill directs the Maine Municipal Bond Bank to administer the grants and directs the bank to develop criteria for the grants in consultation with the Public Utilities Commission and the Executive Department, State Planning Office. The bill requires that conservation measures and improvements in municipal buildings identified with grant funds be identified through a comprehensive energy audit performed by a licensed professional engineer. The bill requires the bond bank to report on the program every 2 years to the joint standing committee of the Legislature having jurisdiction over utilities and energy matters.

Committee Amendment "A" (H-45)

This amendment replaces the bill. The amendment modifies the existing Efficiency Partners Program to incorporate financing for energy audits. Under current law, the program is authorized to provide financing for cost-effective energy efficiency improvements to achieve energy cost savings in municipal and school buildings. The amendment also requires that an energy audit conducted under the program address compliance with the model building energy code adopted by the Public Utilities Commission instead of the standards for indoor air quality developed by the American Society of Heating, Refrigeration and Air Conditioning Engineers. The amendment adds provisions to the Efficiency Partners Program law to require the Maine Municipal Bond Bank to report annually on the program to the joint standing committee of the Legislature having jurisdiction over utilities and energy matters. The amendment also makes technical changes to improve consistency and clarity in statutory language.

Enacted Law Summary

Public Law 2007, chapter 66 modifies the Efficiency Partners Program to incorporate financing for energy audits. This law requires that an energy audit conducted under the program address compliance with the model building energy code adopted by the Public Utilities Commission instead of the standards for indoor air quality developed by the American Society of Heating, Refrigeration and Air Conditioning Engineers. This law also requires the Maine Municipal Bond Bank to report annually on the program to the joint standing committee of the Legislature having jurisdiction over utilities and energy matters.

LD 678 An Act Regarding Eminent Domain Authority and Certificate of Public Convenience and Necessity Requirements for the Construction of Transmission Lines

PUBLIC 148

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BARTLETT	OTP-AM	S-62

This bill requires a transmission and distribution utility to obtain a certificate of public convenience and necessity from the Public Utilities Commission for the construction, rebuilding or relocation of a transmission line before the utility can obtain approval from the commission for eminent domain authority to take private lands and easements for the transmission line.

Committee Amendment "A" (S-62)

This amendment replaces the bill. The amendment requires a transmission and distribution utility or other entity proposing to construct a transmission line to notify the Public Utilities Commission and in some cases obtain a certificate of public convenience and necessity from the commission prior to purchasing or leasing state-owned land for the purpose of constructing a transmission line. The amendment provides an exception from these requirements for the construction of a generator interconnection transmission facility. It also makes changes within the section of law governing the construction of transmission lines to provide consistency in the