

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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STAFF:

LUCIA A. NIXON, LEGISLATIVE ANALYST
OFFICE OF POLICY AND LEGAL ANALYSIS
13 STATE HOUSE STATION
AUGUSTA, ME 04333
(207) 287-1670

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

LD 743 An Act To Allow Transmission and Distribution Utilities To Generate and Sell Power ONTP

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

This bill removes the provisions in current law that prohibit investor-owned transmission and distribution utilities from owning and operating electric generation facilities and from selling electric energy to consumers at retail, including those provisions that require such utilities to divest generation assets and generation-related business activity. The bill requires the Public Utilities Commission to adopt rules to govern the ownership of generation assets, generation of electricity and retail sale of electricity by investor-owned transmission and distribution utilities.

LD 759 An Act To Increase the Percentage of Renewable Power in Systems of Very Large Investor-owned Transmission and Distribution Utilities ONTP

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

This bill requires that, beginning in 2008, a competitive electricity provider selling electricity to the public in an area served by an investor-owned transmission and distribution utility that serves more than 500,000 customers in the State must increase the percentage of its portfolio of supply sources provided by renewable resources. Specifically, such a competitive electricity provider must increase the percentage of its supply portfolio provided by eligible resources, including renewable and efficient resources, by one percentage point per year, beginning at the current requirement of 30% and increasing from 31% to 40% in the years 2008 through 2017.

LD 764 An Act To Clarify Standards for Issuance of a Certificate of Public Convenience and Necessity ONTP

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

This bill applies to the construction of transmission lines capable of operating at more than 138 kilovolts and occupying the submerged lands of the State. The bill prohibits the Bureau of Parks and Lands from leasing submerged lands for such a transmission line, unless the Public Utilities Commission determines that the transmission line will reduce the cost of electricity to Maine consumers. The bill also prohibits the Public Utilities Commission from granting a certificate of public convenience and necessity for such a transmission line, unless the commission finds that the transmission line will reduce the cost of electricity to Maine consumers.

LD 765 Resolve, Regarding Legislative Review of Portions of ConnectME Authority, Chapter 101, a Major Substantive Rule of the Governor's Office RESOLVE 27 EMERGENCY

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	H-79

This resolve provides for legislative review of portions of ConnectME Authority, Chapter 101, a major substantive rule of the Governor's Office.

Joint Standing Committee on Utilities and Energy

Committee Amendment "A" (H-79)

This amendment authorizes final adoption of ConnectME Authority, Chapter 101, a provisionally adopted major substantive rule of the Governor's Office, as long as certain changes to the rule are made to clarify the definition of broadband service provider, to limit the requirement imposed on mobile communications service providers to file mapping and service description information to those mobile communications service providers contributing to the ConnectME Fund and to amend the section of the rule regarding applications for funding from the ConnectME Authority to specify requirements for the content of the application and the application evaluation process to be used by the authority.

Enacted Law Summary

Resolve 2007, chapter 27 authorizes final adoption of ConnectME Authority, Chapter 101, a provisionally adopted major substantive rule of the Governor's Office, as long as certain changes to the rule are made to clarify the definition of broadband service provider, to limit the requirement imposed on mobile communications service providers to file mapping and service description information to those mobile communications service providers contributing to the ConnectME Fund and to amend the section of the rule regarding applications for funding from the ConnectME Authority to specify requirements for the content of the application and the application evaluation process to be used by the authority.

Resolve 2007, chapter 27 was enacted as an emergency measure effective May 16, 2007.

LD 795 An Act Regarding the Solar Energy Rebate Program

PUBLIC 158

Sponsor(s)

BENOIT

Committee Report

OTP-AM

Amendments Adopted

S-67

This bill extends the Public Utilities Commission's solar energy rebate program for an additional 2 years, changing the repeal date from December 31, 2008 to December 31, 2010.

Committee Amendment "A" (S-67)

This amendment adds a provision to the bill to require that in order to qualify for a rebate for a solar photovoltaic system under the Public Utilities Commission's solar energy rebate program, the homeowner or tenant must demonstrate to the satisfaction of the commission that an energy audit of the property has been completed.

Enacted Law Summary

Public Law 2007, chapter 158 extends the Public Utilities Commission's solar energy rebate program for an additional 2 years, changing the repeal date from December 31, 2008 to December 31, 2010. The law also requires that in order to qualify for a rebate for a solar photovoltaic system under the program, a homeowner or tenant must demonstrate to the satisfaction of the commission that an energy audit of the property has been completed.

LD 813 An Act To Provide an Energy Allowance to At-home Patients Using Ventilators

PUBLIC 97

Sponsor(s)

BROWNE

Committee Report

OTP-AM

Amendments Adopted

H-89

This bill adds ventilators to the equitable-treatment program that currently covers low-income electricity consumers who for health reasons need an oxygen pump for at least 8 hours each day.