

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

Enacted Law Summary

Resolve 2007, chapter 35 authorizes final adoption of Chapter 316, Long Term Contracting and Resource Adequacy, a major substantive rule of the Public Utilities Commission and provides allocations of Other Special Revenue Funds to carry out the provisions of Chapter 316.

Resolve 2007 was enacted as an emergency measure effective April 9, 2007.

LD 993 An Act To Amend the Charter of the Winterport Water District

P & S 8

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

This bill extends the Winterport Water District's authority to disconnect water service for nonpayment of sewer service by one year so that this authority sunsets 90 days after adjournment of the First Regular Session of the 124th Legislature. The bill also extends by one year, to January 15, 2009, the Public Utilities Commission's responsibility to monitor and report to the Joint Standing Committee on Utilities and Energy on the Winterport Water District's use of this authority and extends by one year the committee's authority to report out legislation on this issue.

Enacted Law Summary

Private and Special Law 2007, chapter 8 extends the Winterport Water District's authority to disconnect water service for nonpayment of sewer service by one year so that this authority sunsets 90 days after adjournment of the First Regular Session of the 124th Legislature. The law also extends by one year, to January 15, 2009, the Public Utilities Commission's responsibility to monitor and report to the Joint Standing Committee on Utilities and Energy on the Winterport Water District's use of this authority and extends by one year the committee's authority to report out legislation on this issue.

LD 1012 Resolve, To Require the Emergency Services Communication Bureau To Send E-9-1-1 Changes of Address Information to State Licensing Agencies

ONTP

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

This resolve requires the Director of the Emergency Services Communication Bureau within the Public Utilities Commission to provide E-9-1-1 address change information to state agencies that issue licenses, permits or registrations. It requires that the information include E-9-1-1 address changes since the implementation of E-9-1-1.

LD 1030 An Act To Encourage Cogeneration

ONTP

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

This bill establishes a revolving loan program administered by the Finance Authority of Maine to provide loans for the development, construction, expansion and modernization of cogeneration facilities. Under the program, direct loans may be given to finance all or part of a cogeneration project if the facility is designed to use renewable resources for its energy input and the project meets additional criteria regarding permits and approvals, financing

Joint Standing Committee on Utilities and Energy

and terms of the loan. The bill requires the Finance Authority of Maine to consult with the Public Utilities Commission in developing rules to implement the program and requires the authority to report annually on the program to the joint standing committee of the Legislature having jurisdiction over utilities and energy matters.

LD 1063 An Act Regarding Cable Television Service Outages

PUBLIC 104

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ADAMS	OTP-AM	H-111

This bill reduces from 6 hours to 2 hours the amount of cable service outage time after which customers can receive a prorated reimbursement for the time lost. This bill also makes the reimbursement for lost time automatic by eliminating the requirement that the customer request reimbursement for lost time.

Committee Amendment "A" (H-111)

This amendment replaces the bill. The amendment requires cable television franchisees to provide a notice on subscriber bills of the right to a credit or rebate for interruption of service for 6 or more consecutive hours.

Enacted Law Summary

Public Law 2007, chapter 104 requires cable television franchisees to provide a notice on subscriber bills of the right to a credit or rebate for interruption of service for 6 or more consecutive hours.

LD 1068 An Act To Enhance Maine's Energy Independence and Security

ONTP

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

This bill amends the section of law that establishes targets for the State to increase the proportion of electricity supplied by new renewable generating capacity. It specifies that each competitive electricity provider must demonstrate that no less than 1% of the portfolio of supply sources for retail electricity sales is accounted for by new capacity resources beginning in 2008 and increasing 1 percentage point per year to reach a goal of 10% in 2017. It provides a preventive mechanism that would permit the Public Utilities Commission to suspend all or part of the new capacity resources portfolio requirement if new investment is not being stimulated.

LD 1071 An Act Regarding Energy-generating Facilities

PUBLIC 160

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ADAMS BARTLETT	OTP-AM	H-134

This bill amends the laws governing the state permit process and requirements for hydropower projects to address their application to hydropower projects that use tidal energy to produce electricity. The bill requires that the Department of Environmental Protection conduct an adjudicatory hearing prior to the approval or disapproval of a tidal power project. The bill also clarifies the existing hydropower project approval criteria to account for the potential impacts of tidal power projects on marine resources and submerged or intertidal lands. The bill requires the Department of Environmental Protection to lead a review of laws and rules governing the permitting of hydropower projects to make recommendations to amend these laws and rules to reflect the legal, policy and