

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

LD 1148

An Act To Protect Electric Ratepayers

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRAUTIGAM PERRY J	ONTP	

This bill imposes an excise tax on the capacity of electricity producers with more than 20 megawatts of capacity. Revenue from the tax is distributed by the Public Utilities Commission to individual electricity ratepayers based on the amount paid for the generation of electricity by those ratepayers.

**LD 1151 An Act To Streamline the Review of Minor Tariff Filings of
Consumer-owned Water Utilities**

PUBLIC 127

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FITTS	OTP-AM	H-119

This bill seeks to exempt a rate, toll or charge by a consumer-owned water utility for a service other than the provision of water that will not increase the revenues of a consumer-owned water utility by more than 1% from statutory requirement that rate changes of consumer-owned water utilities be subject to suspension, investigation, hearing and rate substitution by the Public Utilities Commission.

Committee Amendment "A" (H-119)

This amendment replaces the bill. The amendment clarifies the exception to the laws that require that rate changes of consumer-owned water utilities be subject to suspension, investigation, hearing or rate substitution by the Public Utilities Commission that is proposed in the bill. The exception is limited to changes in rates or charges for services other than the provision of water, as in the bill. The amendment specifies that the cumulative effect of such changes over a 12-month period may not exceed 1% of total annual revenue. The amendment also places the exception in a more relevant section of the law.

Enacted Law Summary

Public Law 2007, chapter 127 provides an exception to the laws that require that rate changes of consumer-owned water utilities be subject to suspension, investigation, hearing or rate substitution by the Public Utilities Commission. The exception is limited to changes in rates or charges for services other than the provision of water and the cumulative effect of such changes over a 12-month period may not exceed 1% of total annual revenue.

**LD 1153 An Act To Allow Affordable Housing Discretionary Water and Sewer
Fee Waivers**

PUBLIC 174

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CHASE	OTP-AM MAJ ONTP MIN	H-211

Current law requires that rates charged by water, sewer and sanitary districts are uniform within the territory of the district whenever the cost of service is uniform. This bill provides an exception to the uniform rate requirement for affordable housing. Specifically, the bill grants water, sewer and sanitary districts the authority to reduce or waive the rates charged to affordable housing properties within the districts. The bill also requires that the reduction in the rates is credited directly to the associated customer account.