

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
123<sup>RD</sup> LEGISLATURE  
SECOND REGULAR AND FIRST SPECIAL SESSIONS



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

**JOINT STANDING COMMITTEE ON UTILITIES AND  
ENERGY**

May 2008

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**STATE OF MAINE**  
123<sup>RD</sup> LEGISLATURE  
SECOND REGULAR & FIRST SPECIAL SESSIONS



**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 Second Regular or First Special Sessions of the 123<sup>rd</sup> Maine Legislature.

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:

<i>CON RES XXX</i> .....	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>CONF CMTE UNABLE TO AGREE</i> .....	<i>Committee of Conference unable to agree; bill died</i>
<i>DIED BETWEEN BODIES</i> .....	<i>House &amp; Senate disagree; bill died</i>
<i>DIED IN CONCURRENCE</i> .....	<i>One body accepts ONTP report; the other indefinitely postpones the bill</i>
<i>DIED ON ADJOURNMENT</i> .....	<i>Action incomplete when session ended; bill died</i>
<i>EMERGENCY</i> .....	<i>Enacted law takes effect sooner than 90 days</i>
<i>FAILED EMERGENCY ENACTMENT/FINAL PASSAGE</i> .....	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED ENACTMENT/FINAL PASSAGE</i> .....	<i>Bill failed to get majority vote</i>
<i>FAILED MANDATE ENACTMENT</i> .....	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>NOT PROPERLY BEFORE THE BODY</i> .....	<i>Ruled out of order by the presiding officers; bill died</i>
<i>INDEF PP</i> .....	<i>Bill Indefinitely Postponed; bill died</i>
<i>ONTP (or Accepted ONTP report)</i> .....	<i>Ought Not To Pass report accepted; bill died</i>
<i>P&amp;S XXX</i> .....	<i>Chapter # of enacted Private &amp; Special Law</i>
<i>PUBLIC XXX</i> .....	<i>Chapter # of enacted Public Law</i>
<i>RESOLVE XXX</i> .....	<i>Chapter # of finally passed Resolve</i>
<i>UNSIGNED</i> .....	<i>Bill held by Governor</i>
<i>VETO SUSTAINED</i> .....	<i>Legislature failed to override Governor's Veto</i>

The effective date for non-emergency legislation enacted in the Second Regular Session (R2) is June 30, 2008. The effective date for non-emergency legislation enacted in the First Special Session (S1) is July 18, 2008.<sup>1</sup> The effective date for legislation enacted as an emergency measure is specified in the enacted law summary for those bills. Any bill summarized in this document having an LD number less than 1932 was a bill carried over from the First Regular Session of the 123<sup>rd</sup> Legislature.

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<sup>1</sup> The session in which each law was enacted or finally passed (R2 or S1) is included in Appendix C.

## *Joint Standing Committee on Utilities and Energy*

where the charter amendment would allow KLPD to extend its services and requires, in the event of a purchase, the district to pay the utility for stranded costs as calculated by the Public Utilities Commission.

The law authorizes the Public Utilities Commission to resolve disputes or disagreements between KLPD and a public utility regarding the valuation of facilities to be purchased by KLPD, payment to compensate the public utility's remaining customers for costs incurred as a result of the migration of customers to the district, the severance and realignment of facilities and the use of poles and related issues during the transfer of property. In the event of a dispute or disagreement over the value of the facilities the district seeks to purchase, the law requires the Public Utilities Commission to obtain an independent appraisal of the value of the facilities to be paid for by the district.

The law includes a provision to clarify that, due to the unique circumstances of a geographic line drawn by the Legislature in 1903 for purposes of electricity transmission and distribution for the Town of Kennebunk, the Legislature intends that this legislation not be cited as precedent in legislation affecting the service areas of other public utilities.

### **LD 1248    An Act To Authorize Load Aggregation for Consumer-owned Electric Utilities**

**PUBLIC 481**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SHERMAN	OTP-AM	S-405

This bill establishes the Northern Maine Power Agency in order to obtain electricity supply for standard offer service to construct or lease and operate transmission facilities to the 4 utilities participating in the northern Maine independent system administrator. The bill provides an exception to the right to purchase generation from competitive electricity providers for electricity consumers in northern Maine.

#### **Committee Amendment "A" (S-405)**

This amendment replaces the bill. The amendment establishes an exception to the right to purchase generation from competitive electricity providers for electricity customers in northern Maine, as was established in the bill, while also extending the provision to cover customers of consumer-owned transmission and distribution utilities statewide. Under the amendment, the exception is subject to approval from the Public Utilities Commission for the consumer-owned transmission and distribution utility to aggregate its load for the purpose of purchasing generation services on behalf of its customers.

#### **Enacted Law Summary**

Public Law 2007, chapter 481 establishes an exception to the right to purchase generation from competitive electricity providers for electricity customers of consumer-owned transmission and distribution utilities. This exception is subject to approval from the Public Utilities Commission for the consumer-owned transmission and distribution utility to aggregate its load for the purpose of purchasing generation services on behalf of its customers.

### **LD 1918    An Act To Ensure Adequate Funding for the Oversight of Spent Nuclear Fuel Storage in Maine**

**DIED BETWEEN HOUSES**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BERRY	OTP-AM	H-671

Current law establishes an assessment on a licensee operating an interim spent nuclear fuel storage facility in this State. This assessment is scheduled to decrease from \$360,000 per year in calendar year 2007 to \$296,667 in calendar year 2008 and to \$170,000 beginning in 2009 and continuing at that amount until all spent nuclear