

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 1248 An Act To Establish the Northern Maine Power Agency

CARRIED OVER

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

This bill establishes the Northern Maine Power Agency in order to obtain power 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 Joint Standing Committee on Utilities and Energy, by letter dated 6/14/07, requested that the Public Utilities Commission continue its inquiry (Docket No. 2006-513) into the lack of competition in the northern Maine electricity market and report its findings and recommendations to the committee no later than August 31, 2007.

This bill was carried over by H.P. 1369 to any special or regular session of the 123rd Legislature.

**LD 1284 Resolve, Regarding the Organization and Administration of Energy
Policy Responsibilities within State Government**

RESOLVE 59

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BARTLETT	OTP-AM	S-125

This bill creates the Office of Energy Independence as a stand-alone office within the Executive Department that is dedicated to the formulation, coordination and management of state energy policy for the purpose of increasing the energy independence of the State.

The bill removes from the Executive Department, State Planning Office the energy-related powers, duties, responsibilities and programs assigned to the State Planning Office under current law and assigns them to the new Office of Energy Independence. Specific programmatic responsibilities that are transferred to the Office of Energy Independence include management of the Energy Resources Council, the energy resources development program and data collection and reporting of petroleum inventories and deliveries.

The bill establishes the powers and duties of the Office of Energy Independence, which include: coordinating the development and implementation of policies to achieve energy independence and to reduce growth in energy demand through cost-effective efficiency measures; collecting and analyzing energy data; preparing a biennial energy independence plan; supporting research to develop alternative energy resources; identifying conservation alternatives to new generation and transmission and distribution facilities; coordinating the actions of state agencies that affect energy consumption; and conducting studies and policy analysis related to energy issues at the request of the Governor and the Legislature.

The bill requires the Office of Energy Independence to develop the following 3 specific initiatives and submit a report on each initiative to the Joint Standing Committee on Utilities and Energy by January 31, 2008:

1. A biofuel action plan to increase the availability and use of biofuels in the State;
2. A renewable energy investment program to support the development and operation of renewable energy generation facilities within the State through consumer purchase of renewable energy certificates; and

Joint Standing Committee on Utilities and Energy

3. A green communities program to support and recognize communities in the State that take steps to become more energy independent, reduce reliance on fossil fuels and increase reliance on renewable energy resources.

The bill authorizes the committee to submit legislation regarding each of these initiatives to the Second Regular Session of the 123rd Legislature following its review of the report on each initiative.

The bill requires the Office of Energy Independence, in consultation with the Public Utilities Commission and the State Planning Office, to review the laws governing the Office of Energy Independence and other state laws relating to the functions of that office. It requires the Office of Energy Independence to submit a report on the results of the review, including recommended legislation, to the Joint Standing Committee on Utilities and Energy by January 1, 2008 and authorizes the committee to submit legislation related to the report.

Committee Amendment "A" (S-125)

This amendment replaces the bill with a resolve. The amendment directs the Executive Department, Office of Energy Independence and Security to conduct a review of the current policy-making and administrative structures and functions within State Government relating to energy policy and to develop recommendations regarding the organization of energy-related responsibilities within a clearly defined statutory framework that provides for well-coordinated and efficient formulation, management and administration of state energy policy. The amendment directs the office to consider, as part of its review, ideas for advancing the development of energy independence policy initiatives to support biofuels, renewable energy, cogeneration and green communities. The amendment requires the office to submit a report and recommendations to the Joint Standing Committee on Utilities and Energy by January 1, 2008 and authorizes the joint standing committee to submit legislation to the Second Regular Session of the 123rd Legislature.

Enacted Law Summary

Resolve 2007, chapter 59 directs the Executive Department, Office of Energy Independence and Security to conduct a review of the current policy-making and administrative structures and functions within State Government relating to energy policy and to develop recommendations regarding the organization of energy-related responsibilities within a clearly defined statutory framework that provides for well-coordinated and efficient formulation, management and administration of state energy policy. The resolve directs the office to consider, as part of its review, ideas for advancing the development of energy independence policy initiatives to support biofuels, renewable energy, cogeneration and green communities. The resolve requires the office to submit a report and recommendations to the Joint Standing Committee on Utilities and Energy by January 1, 2008 and authorizes the joint standing committee to submit legislation to the Second Regular Session of the 123rd Legislature.

LD 1302 Resolve, To Preserve Maine's Electric Energy Infrastructure

RESOLVE 37

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCLEOD	OTP MAJ OTP-AM MIN	

This resolve directs the Department of Environmental Protection to report by January 1, 2008, to the Joint Standing Committee on Utilities and Energy on the quantitative criteria that the department uses to fulfill the standards of the Maine Waterway Development and Conservation Act with respect to assessing the value of hydropower generation. The report must include the methods used by the department to determine the current and future value of renewable energy in terms of electricity costs, indigenous production, greenhouse gases and fossil fuel independence.

Committee Amendment "A" (H-152)

This amendment (not adopted) is the minority report of the committee. The amendment retains the requirement