

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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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

resources beginning in 2009.

(LD 1920, enacted as Public Law 2007, chapter 403, relates to the same issues as LD 1346.)

LD 1347 Resolve, Regarding Alternative Fuel Incentives To Stimulate the Production, Distribution and Use of Biofuels

RESOLVE 51

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PINGREE	OTP-AM	H-268

This bill creates the Alternative Fuels Incentive Act and the Alternative Fuels Incentive Fund to support the production, distribution and use of alternative fuels. The fund is funded by an annual assessment on public utilities and competitive service providers to produce \$3,000,000 annually and is administered by the Department of Environmental Protection. The fund may be used for grants to school districts, political subdivisions, nonprofit entities, corporations, limited liability companies and partnerships incorporated or registered in the State, reimbursements and rebates to support the use of alternative fuel vehicles and the production of alternative fuels, including a rebate for residents of the State who purchase a hybrid vehicle.

Committee Amendment "A" (H-268)

This amendment replaces the bill with a resolve. The amendment directs the Executive Department, Office of Energy Independence and Security to study and make policy recommendations regarding the establishment of an alternative fuel incentive program in the State to stimulate the production, distribution and use of biofuels. The amendment requires the Office of Energy Independence and Security to report its findings and recommendations to the Joint Standing Committee on Utilities and Energy by January 15, 2008 and authorizes the committee to submit legislation related to alternative fuel incentives to the Second Regular Session of the 123rd Legislature.

Enacted Law Summary

Resolve 2007, chapter 51 directs the Executive Department, Office of Energy Independence and Security to study and make policy recommendations regarding the establishment of an alternative fuel incentive program in the State to stimulate the production, distribution and use of biofuels. The resolve requires the Office of Energy Independence and Security to report its findings and recommendations to the Joint Standing Committee on Utilities and Energy by January 15, 2008 and authorizes the committee to submit legislation related to alternative fuel incentives to the Second Regular Session of the 123rd Legislature.

LD 1360 An Act To Permit the University of Maine System To Install Lines on Utility Facilities in Public Rights-of-way

**PUBLIC 268
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAMON	OTP-AM MAJ ONTP MIN	S-153

This bill requires that owners of utility facilities in a public right of way reasonably accommodate attachment of traffic control signals and appurtenances to their facilities without cost to the public. The bill also allows the University of Maine System to install poles and wires in public way rights-of-way for the purpose of transmitting data between and among its facilities and partnering education and research organizations.

Committee Amendment "A" (S-153)

This amendment is the majority report of the committee. The amendment strikes the provision of the bill

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regarding attachment of traffic control devices to utility facilities in or on a public right-of-way. The amendment changes the provision of the bill relating to the University of Maine System to specify that the authority granted to the university system is limited to the installation of lines or wires on existing utility facilities located in public rights-of-way.

Enacted Law Summary

Public Law 2007, chapter 268 allows the University of Maine System to install lines or wires on existing utility facilities located in public rights-of-way for the purpose of transmitting data between and among its facilities and partnering education and research organizations.

Public Law 2007, chapter 168 was enacted as an emergency measure effective June 4, 2007.

LD 1381 Resolve, To Ensure the Success of Regional Climate Change Efforts

RESOLVE 52

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FLETCHER	OTP-AM	H-274

This resolve requires the Office of the Public Advocate to study the potential economic impacts on Maine electricity consumers of the regional greenhouse gas initiative (RGGI). The study must determine the possible range of cost impacts of RGGI on Maine electricity consumers on an annual basis for the first 10 years of the initiative; identify alternatives for reducing the cost impacts; determine the effect upon any manufacturing facility that acquires thermal and electric energy from a RGGI-designated power plant; and identify recipients of revenues derived from electricity consumers under RGGI. The resolve requires the Public Advocate to submit a report and any suggested legislation to reduce the costs of RGGI implementation to the Joint Standing Committee on Utilities and Energy by January 1, 2008 and authorizes the committee to submit legislation on this subject to the Second Regular Session of the 123rd Legislature.

Committee Amendment "A" (H-274)

This amendment makes several changes to the study of the regional greenhouse gas initiative contained in the resolve. The amendment directs the Office of the Public Advocate to convene a study group to examine issues related to the impact of the regional greenhouse gas initiative on electricity prices for Maine consumers and to identify potential strategies to reduce the costs. The amendment also eliminates the requirements in the resolve that the study determine the effect of the initiative on certain manufacturing facilities and identify recipients of revenues resulting from the initiative. The amendment retains the provisions in the resolve requiring the Office of the Public Advocate to submit a report by January 1, 2008 and authorizing the Joint Standing Committee on Utilities and Energy to submit legislation on this subject to the Second Regular Session of the 123rd Legislature.

Enacted Law Summary

Resolve 2007, chapter 52 directs the Office of the Public Advocate to convene a study group to examine issues related to the impact of the regional greenhouse gas initiative on electricity prices for Maine consumers and to identify potential strategies to reduce the costs. The resolve requires the Office of the Public Advocate to submit a report to the Joint Standing Committee on Utilities and Energy by January 1, 2008 and authorizes the committee to submit legislation on this subject to the Second Regular Session of the 123rd Legislature.