

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

LD 1495 An Act To Reduce Additional State Fees for Consumer-owned Electric Utility Customers **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SNOWE-MELLO	ONTP	

This bill provides that any state fee or other charge may not be imposed on a consumer-owned transmission and distribution utility or on its customers' bills unless it is approved by a 2/3 vote of all members of each House of the Legislature. The bill defines "state fee or other charge" as any fee or charge imposed by any state law or rule or by the Public Utilities Commission or any other state agency, except that it does not include state taxes under Title 36.

LD 1573 An Act To Encourage and Facilitate Regional Utility Districts **ONTP**

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

Under current law, a consumer-owned water utility may choose to make no investment in a water main extension and may require anyone requesting an extension to advance to the utility the entire cost of the extension. This bill grants that same authority to sewer districts and sanitary districts. Under current law, if a consumer-owner water utility chooses to invest consumer funds in water main extensions, the Public Utilities Commission provides clear policy and procedures governing investment in water main extensions, including investment amounts and the process for making such investments. This bill requires that a sewer district or sanitary district that chooses to invest in sewer main extensions first adopt similar investment policies for the protection of its ratepayers. The bill also prohibits a consumer-owned water utility, sewer district or sanitary district from lending district funds to any person requesting a water or sewer extension. The bill also specifies that the assets of water districts, sewer districts and sanitary districts are owned by the ratepayers of the district.

LD 1621 An Act To Ensure the Reliability of Communications Equipment in Certain Buildings **ONTP**

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

The intent of the bill is to improve the reliability of communications between emergency services providers and people inside buildings and structures in the event of an emergency. This bill establishes minimum requirements for radio and cellular telephone communications capabilities for the construction and renovation of certain buildings and structures.

LD 1625 An Act To Protect Maine Consumers from Windfall Profits of Generators **ONTP**

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

This bill is a concept draft pursuant to Joint Rule 208. This bill would authorize the State to impose a windfall profits tax on the increased revenues electric generators who are not required to purchase carbon dioxide offset

Joint Standing Committee on Utilities and Energy

credits under the Regional Greenhouse Gas Initiative will receive from the effect of carbon dioxide credit costs on the clearing price of electricity in New England. Only generators that sell electricity through the market administered by ISO-New England and that do not have to purchase carbon dioxide offset credits would be subject to the windfall profits tax. Revenues from the windfall profits tax would be held in trust and administered by the Public Utilities Commission to benefit electricity consumers.

LD 1644 *Resolve, To Establish a Stakeholder Group for the Establishment of Site Requirements for Wind Power*

ONTP

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

This resolve directs the Maine Land Use Regulation Commission to create a stakeholder group to review and establish site requirements for wind power.

Related to the subject of this bill, the Governor's Task Force on Wind Power Development in Maine was established on May 8, 2007 by Executive Order 31 FY 06/07.

LD 1655 *Resolve, To Improve the Energy Efficiency of Residential and Commercial Buildings*

RESOLVE 93

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HINCK	OTP-AM MAJ ONTP MIN	H-331

Currently, Maine law requires that all commercial new construction and renovation and multifamily residential construction must comply with the standards set forth in the Energy Efficiency Building Performance Standards Act. This bill requires that any new construction or renovation of any residential building must conform to the model building energy code developed by the Public Utilities Commission pursuant to the Maine Revised Statutes, Title 35-A, section 121. This bill also establishes an enforcement mechanism for ensuring compliance with the mandatory standards established for both residential and commercial construction.

Committee Amendment "A" (H-331)

This amendment replaces the bill with a resolve. The amendment directs the Public Utilities Commission and the Maine State Housing Authority to study the feasibility of and make recommendations for state policies or programs designed to increase compliance with the Maine Model Building Energy Code. The amendment requires the Public Utilities Commission and the Maine State Housing Authority to report their findings to the Joint Standing Committee on Utilities and Energy by January 1, 2008 and authorizes the committee to submit legislation related to the resolve's subject matter to the Second Regular Session of the 123rd Legislature.

Enacted Law Summary

Resolve 2007, chapter 93 directs the Public Utilities Commission and the Maine State Housing Authority to study the feasibility of and make recommendations for state policies or programs designed to increase compliance with the Maine Model Building Energy Code. The resolve requires the Public Utilities Commission and the Maine State Housing Authority to report their findings to the Joint Standing Committee on Utilities and Energy by January 1, 2008 and authorizes the committee to submit legislation related to the resolve's subject matter to the Second Regular Session of the 123rd Legislature.