

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 1656 An Act To Amend the Fryeburg Water District Charter

**P & S 11
EMERGENCY**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| MUSE | OTP-AM | H-114 |

This bill authorizes the Fryeburg Water District to purchase assets in East Conway, New Hampshire and to purchase the common stock of the Fryeburg Water Company.

Committee Amendment "A" (H-114)

This amendment adds language to the bill to specify that the authority of the Fryeburg Water District to purchase the common stock of the Fryeburg Water Company is limited to the acquisition of the stock for the sole purpose of allowing the Fryeburg Water District to acquire the Fryeburg Water Company.

Enacted Law Summary

Private and Special Law 2007, chapter 11 authorizes the Fryeburg Water District to purchase assets in East Conway, New Hampshire and to purchase the common stock of the Fryeburg Water Company, provided that the purchase of the common stock is for the sole purpose of allowing the Fryeburg Water District to acquire the Fryeburg Water Company.

Private and Special Law 2007, chapter 11 was enacted as an emergency measure effective May 10, 2007.

LD 1666 Resolve, To Promote Energy Conservation in Schools

RESOLVE 55

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| PINGREE | OTP-AM | H-281 |

This resolve includes three provisions to increase energy conservation in schools.

1. It directs the Public Utilities Commission to amend its rules to provide school districts with additional funds under the Public Utilities Commission's Maine High Performing Schools program for cost-effective energy efficiency projects;
2. It directs the State Board of Education to collaborate with the Public Utilities Commission to enact new energy efficiency standards for new construction and renovations of existing school facilities and allows the State Board of Education to use current renovation loan and grant funds for energy efficiency retrofitting of school facilities; and
3. It requires school administrative units to yearly report energy consumption data to the Department of Education so that the department, the Public Utilities Commission and the Governor's Energy Office may quantify taxpayer and carbon dioxide savings from energy efficiency programs and directs the Department of Education and Public Utilities Commission to set the goal of 30% reduction in overall public school energy consumption by the year 2014.

Committee Amendment "A" (H-281)

This amendment replaces the resolve. The amendment directs the Public Utilities Commission to develop a plan to increase energy efficiency and conservation in school facilities in the State, to promote opportunities for school

Joint Standing Committee on Utilities and Energy

administrative units to participate in the Public Utilities Commission's Efficiency Maine programs and to encourage data collection on school energy consumption and costs. The amendment requires the commission to report on the plan as part of the annual report of the Efficiency Maine program.

Enacted Law Summary

Resolve 2007, chapter 55 directs the Public Utilities Commission to develop a plan to increase energy efficiency and conservation in school facilities in the State, to promote opportunities for school administrative units to participate in the Public Utilities Commission's Efficiency Maine programs and to encourage data collection on school energy consumption and costs. The resolve requires the commission to report on the plan as part of the annual report that is required for the Efficiency Maine program.

LD 1675 Resolve, Regarding Full, Fair and Nondiscriminatory Access to the Internet

RESOLVE 106

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|----------------------------|---------------------------|
| STRIMLING | OTP-AM MAJ ONTP MIN | S-192 |

This bill requires Internet service providers offering service in the State to offer nondiscriminatory access to the Internet for all users. Elements of nondiscriminatory access, as provided in the bill, include offering Internet service on demand on a first-come, first-served basis, not blocking or interfering with access to content, applications or service, enabling any Internet content, application or service to be provided on a nondiscriminatory basis, not restricting or impeding access between a content service provider and a customer and making its service available separate from content the provider may offer. The bill allows an Internet service provider to protect the security of a user's computer, offer consumer protection services and handle breaches of terms of service, provided that is done in a manner that meets the nondiscriminatory access requirements.

Committee Amendment "A" (S-192)

This amendment replaces the bill with a resolve. The amendment directs the Office of the Public Advocate to take several actions to monitor state and federal activity relating to full and fair access to the Internet and to submit a report summarizing the results of its activities to the Joint Standing Committee on Utilities and Energy by February 1, 2008.

Enacted Law Summary

Resolve 2007, chapter 106 directs the Office of the Public Advocate to take several actions to monitor state and federal activity relating to full and fair access to the Internet and to submit a report summarizing the results of its activities to the Joint Standing Committee on Utilities and Energy by February 1, 2008.

LD 1754 An Act To Incorporate the Greater Augusta Utility District

P & S 22

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| MITCHELL | OTP-AM | S-314 |

This bill is a concept draft pursuant to Joint Rule 208. This bill would accomplish the merger of the Augusta water and sewer districts and incorporate the Greater Augusta Utility District.

Enacted Law Summary

Private and Special Law 2007, chapter 22 creates the Greater Augusta Utility District subject to referendum. If approved by the voters of the City of Augusta and the voters of the City of Hallowell, it provides for the merger of