

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

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

**MEMBERS:**

SEN. PHILIP L. BARTLETT, II, CHAIR  
SEN. BARRY J. HOBBS  
SEN. DOUGLAS M. SMITH

REP. LAWRENCE BLISS, CHAIR  
REP. HERBERT ADAMS  
REP. PETER L. RINES  
REP. RICHARD D. BLANCHARD  
REP. SETH A. BERRY  
REP. JON HINCK  
REP. KENNETH C. FLETCHER  
REP. PHILIP A. CURTIS  
REP. STACEY ALLEN FITTS  
REP. MICHAEL THIBODEAU

**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**  
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.

---

<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*

**LD 2050    Resolve, Directing the Public Utilities Commission and the Public Advocate  
To Advocate for the Adoption and Implementation of Demand-side  
Management Programs**

**RESOLVE 177  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PINGREE	OTP-AM	H-767

This bill defines "compliant transmission and distribution utility" and "noncompliant transmission and distribution utility" and places certain limitations and restrictions on noncompliant transmission and distribution utilities. The bill also amends the standards for the approval of transmission projects by the Public Utilities Commission; requires the Public Utilities Commission to advocate for and, if possible, require the development and implementation of a demand-side management program; and requires the commission to develop a proposal for a program that would require all new commercial and residential construction to have time-of-use electric meters installed. Finally, the bill directs the Governor's Office of Energy Independence and Security to convene a working group to examine barriers to and incentives for installation of systems to conserve energy through the reuse of waste heat.

### **Committee Amendment "A" (H-767)**

This amendment replaces the bill with a resolve that directs the Public Utilities Commission and the Public Advocate to participate in regional and federal activities to advocate for and facilitate and support the development, adoption and implementation of demand-side management programs.

### **Enacted Law Summary**

Resolve 2007, chapter 177 directs the Public Utilities Commission and the Public Advocate to participate in regional and federal activities to advocate for and facilitate and support the development, adoption and implementation of demand-side management programs.

Resolve 2007, chapter 177 was enacted as an emergency measure effective March 31, 2008.

**LD 2060    An Act To Create Consistency in the Authority of the Public Utilities  
Commission To Provide Tariff Exemptions**

**PUBLIC 478**

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

The Maine Revised Statutes, Title 35-A, section 307-A allows the Public Utilities Commission to exempt certain telephone utilities from filing tariffs if the commission finds that certain conditions are met. This bill revises two sections in the public utilities laws to make them consistent with the authority of the Public Utilities Commission to provide tariff exemptions under Title 35-A, section 307-A.

### **Enacted Law Summary**

Public Law 2007, chapter 478 revises two sections in the public utilities laws to make them consistent with the authority of the Public Utilities Commission under Title 35-A, section 307-A to exempt certain telephone utilities from filing tariffs if the commission finds that certain conditions are met.