

MAINE STATE LEGISLATURE

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STATE OF MAINE
124TH LEGISLATURE
FIRST REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed during the First Regular Session of the 124th Maine Legislature coming from the

**JOINT STANDING COMMITTEE ON UTILITIES AND
ENERGY**

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STATE OF MAINE

124TH 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 124th 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:

CARRIED OVER.....	Carried over to a subsequent session of the Legislature
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; bill died
ONTP (or Accepted ONTP report).....	Ought Not To Pass report accepted; bill died
P&S XXX.....	Chapter # of enacted Private & Special Law
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

The effective date for non-emergency legislation enacted in the First Regular Session of the 124th Legislature is September 12, 2009. 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

E-9-1-1 surcharge and the E-9-1-1 fund, including surcharge revenue history and projections, expenditure history and projections, unexpended amounts in the E-9-1-1 fund, opportunities to reduce expenditures related to the configuration of public safety answering points and designated uses of the E-9-1-1 fund. The amendment adds an appropriations and allocations section.

Enacted Law Summary

Public Law 2009, chapter 416 increases the E-9-1-1 surcharge from 30¢ to 37¢ effective July 1, 2009, and 52¢ effective July 1, 2010. It authorizes the Joint Standing Committee on Utilities and Energy to submit legislation regarding the E-9-1-1 surcharge to the Second Regular Session of the 124th Legislature. If the committee elects to submit legislation under this authority, the committee is required to consider certain information regarding the E-9-1-1 surcharge and the E-9-1-1 fund, including surcharge revenue history and projections, expenditure history and projections, unexpended amounts in the E-9-1-1 fund, opportunities to reduce expenditures related to the configuration of public safety answering points and designated uses of the E-9-1-1 fund.

Public Law 2009, chapter 416 was enacted as an emergency measure effective June 17, 2009.

LD 275

An Act To Amend the Charter of the Limestone Water and Sewer District

**P & S 5
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARTIN J L	OTP-AM	H-33

This bill establishes a board of directors for the Greater Limestone Wastewater Treatment Facility with responsibility for the regulation, management, operation and maintenance of the Greater Limestone Wastewater Treatment Facility and for rate changes and changes in the terms and conditions of service to the Loring Development Authority of Maine. The provisions of the bill establishing the board do not take effect unless the Limestone Water and Sewer District acquires title to the Greater Limestone Wastewater Treatment Facility by July 1, 2010. This bill also increases the district's debt limit from \$1,500,000 to \$5,000,000.

Committee Amendment "A" (H-33)

This amendment makes the following changes to the bill.

1. It clarifies the language in the bill regarding the responsibilities of the board and the board membership for the Greater Limestone Wastewater Treatment Facility Board.
2. It also increases the district's debt limit to \$8,000,000 rather than to \$5,000,000 as proposed in the bill.
3. It adds an emergency preamble and an emergency clause so that the Limestone Water and Sewer District can take advantage of federal funding for wastewater projects that is available under the American Recovery and Reinvestment Act of 2009, and it clarifies the effective date of the provisions regarding the Greater Limestone Wastewater Treatment Facility Board.

Enacted Law Summary

Private and Special Law 2009, chapter 5 establishes the Greater Limestone Wastewater Treatment Facility Board. The wastewater treatment facility board consists of the 3 members of the board of trustees of the Limestone Water and Sewer District and 2 appointed members. The wastewater treatment facility board is responsible for the regulation, management, operation and maintenance of the Greater Limestone Wastewater Treatment Facility and for rate changes and changes in the terms and conditions of service to the Loring Development Authority of Maine. The provisions of the law establishing the wastewater treatment facility board do not take effect unless the

Joint Standing Committee on Utilities and Energy

Limestone Water and Sewer District acquires title to the Greater Limestone Wastewater Treatment Facility by July 1, 2010. This law also increases the district's debt limit from \$1,500,000 to \$8,000,000.

Private and Special Law 2009, chapter 5 was enacted as an emergency measure effective April 16, 2009.

**LD 276 An Act To Protect the Integrity of the State's Carbon Dioxide Budget
Trading Program and Auction Process and To Provide Allocations to
the Energy and Carbon Savings Trust Fund**

**PUBLIC 200
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BARTLETT	OTP-AM	S-138 HOBBS S-42

This bill provides a "public records exception" to exclude certain information submitted to the Department of Environmental Protection or its agent by parties in order to participate in carbon dioxide emission allowance auctions held under the Regional Greenhouse Gas Initiative. The identified purpose of the exception is to protect the integrity of the auctions.

The bill also repeals the requirement that rules adopted by the Department of Environmental Protection under Title 38 chapter 3-B establish a system under which proceeds from the sale of CO2 allowances may be returned to electric customers as direct credits on bills at times of heightened price pressure in regional carbon emission allowance markets.

Finally, the bill establishes allocations for the Energy and Carbon Savings Trust Fund for the disbursement of auction revenues.

Committee Amendment "A" (S-42)

This amendment makes the following changes to the bill:

1. It moves the language in Public Law 2007, chapter 317, regarding rulemaking to provide credits to electric ratepayers at times of heightened price pressure in the regional carbon dioxide allowance markets, which is repealed by the bill, into the statutes governing the Energy and Carbon Savings Trust and shifts responsibility for rulemaking from the Department of Environmental Protection to the Public Utilities Commission.
2. It adds a provision to the bill that changes the Energy and Carbon Savings Trust's expenditure limit for administrative costs from 2 percent of trust fund receipts to no more than \$800,000 per year.
3. It adds a provision to the bill to insert a necessary cross-reference to the voluntary renewable market set aside in the Regional Greenhouse Gas Initiative Act of 2007.
4. It adds a provision to the bill to require the Department of Environmental Protection and the Energy and Carbon Savings Trust to report on the revenues and expenditures of the Energy and Carbon Savings Trust Fund as part of the annual report to the Legislature.
5. It amends the public records exception contained in the bill by clarifying the specific records that are confidential, the time period of confidentiality and exceptions to the confidentiality requirements. It clarifies and provides certain definitions and moves the public records exception language to the section of law governing the Regional Greenhouse Gas Initiative Act of 2007.