

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
124<sup>TH</sup> LEGISLATURE  
FIRST REGULAR SESSION



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

**JOINT STANDING COMMITTEE ON UTILITIES AND  
ENERGY**

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# STATE OF MAINE

124<sup>TH</sup> LEGISLATURE  
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## 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 124<sup>th</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:

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 124<sup>th</sup> 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

This amendment authorizes the final adoption of Chapter 313: Net Energy Billing Rule to Allow Shared Ownership, a provisionally adopted major substantive rule of the Public Utilities Commission, as long as the rule is amended to include micro-combined heat and power systems within the definition of "eligible facility" and to change the installed capacity limit for eligible facilities from 500 kilowatts to 660 kilowatts.

### Enacted Law Summary

Resolve 2009, chapter 20 authorizes the final adoption of Chapter 313: Net Energy Billing Rule to Allow Shared Ownership, a provisionally adopted major substantive rule of the Public Utilities Commission. The resolve requires that the rule be amended to include micro-combined heat and power systems within the definition of "eligible facility" and to change the installed capacity limit for eligible facilities from 500 kilowatts, in the proposed rule, to 660 kilowatts.

Resolve 2009, chapter 20 was finally passed as an emergency measure effective April 30, 2009.

**LD 389**

### An Act To Facilitate the State's Existing Commitment to the Production of Liquid Biofuels

**PUBLIC 124**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BUTTERFIELD BRYANT B	OTP-AM	H-116

This bill eliminates the Agriculturally Derived Fuel Fund and amends the Clean Fuel Vehicle Fund to include biofuel projects. The bill also prohibits franchise agreements that infringe on a retail dealer's ability to deal with suppliers of alternative motor fuel other than the franchisor. The bill also directs the Governor's Office of Energy Independence and Security within the Executive Department, in consultation with the Executive Department, State Planning Office, the Department of Environmental Protection and the Department of Conservation, to study and make recommendations to the Legislature regarding policies to encourage the sustainability of biofuels.

### Committee Amendment "A" (H-116)

This amendment makes the following changes to the bill.

1. It removes the requirement that the Governor's Office of Energy Independence and Security within the Executive Department provide direct oversight of the Clean Fuel Vehicle Fund and instead requires that, in administering the fund, the Finance Authority of Maine consult and accept input from the Governor's Office of Energy Independence and Security.
2. It amends the bill to focus on "sustainable biofuel," replaces the term "biofuel" with "sustainable biofuel" and changes the related definition.
3. It adds a provision to allow the Secretary of State to develop and administer a cost-effective method for a person to contribute to the fund through an online process.
4. It eliminates the provisions of the bill relating to prohibitions on franchise agreements between suppliers and retail fuel dealers; requirements for a voluntary contribution to the Clean Fuel Vehicle Fund as part of the regular motor vehicle registration process and as a checkoff on an income tax return; and the requirement for a study of biofuels sustainability by the Governor's Office of Energy Independence and Security.

### Enacted Law Summary

Public Law 2009, chapter 124 eliminates the Agriculturally Derived Fuel Fund and amends the Clean Fuel Vehicle Fund to include sustainable biofuel projects. This law requires the Finance Authority of Maine to consult and accept

## *Joint Standing Committee on Utilities and Energy*

input from the Governor's Office of Energy Independence and Security in administering the Clean Fuel Vehicle Fund. The law also authorizes the Secretary of State to develop and administer a cost-effective method for a person to contribute to the Clean Fuel Vehicle fund through an online process.

**LD 396      An Act Regarding Installation of Solar Energy Systems under the Solar and Wind Energy Rebate Program      ONTP**

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

To qualify for a rebate under current law governing the solar and wind energy rebate program, a solar photovoltaic system must be installed by a master electrician who has been certified by a North American board of certified energy practitioners or by a master electrician working in conjunction with a person who has been certified by a North American board of certified energy practitioners, and a solar thermal system designed to heat water must be installed by a qualified solar thermal water system installer. This bill amends the law to allow for a rebate when the owner or tenant of a residential or commercial property performs the installation of a solar photovoltaic system or a solar thermal system designed to heat water, as long as the installation has been inspected and approved by a municipal electrical inspector, in the case of solar photovoltaic systems, or a municipal plumbing inspector in the case of solar thermal systems designed to heat water.

**LD 407      Resolve, To Identify Funding Available To Promote the Use of Energy-efficient Furnaces      RESOLVE 18 EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PLOWMAN	OTP-AM	S-39

This resolve directs the Public Utilities Commission to amend its rules governing conservation programs to provide funding to promote the use of more efficient furnaces by low-income residents.

### **Committee Amendment "A" (S-39)**

This amendment replaces the resolve. The amendment directs the Public Utilities Commission to identify funding sources available to the State and strategies to use such funding to promote the use of energy-efficient furnaces, particularly among low-income residents.

### **Enacted Law Summary**

Resolve 2009, chapter 18 directs the Public Utilities Commission to identify funding sources available to the State and strategies to use such funding to promote the use of energy-efficient furnaces, particularly among low-income residents.

Resolve 2009, chapter 18 was finally passed as an emergency measure effective April 30, 2009.