

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
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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 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:

<i>CARRIED OVER</i>	<i>Carried over to a subsequent session of the Legislature</i>
<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 & 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&S XXX</i>	<i>Chapter # of enacted Private & 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 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.

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Public Law 2009, chapter 66 exempts a telephone utility from the requirement to obtain approval from the Public Utilities Commission for a special contract and changes in the rates under such a contract, when that utility has been granted an exemption from the requirement to file rate schedules or terms and conditions, or tariffs, with the commission. The exemption from the special contract approval requirement is limited to the same extent of the exemption from the tariff filing requirement. This means that if a telephone utility has some services exempt from tariff filing, it is only exempt from the special contract approval requirement for those specific services.

LD 792 Resolve, Regarding On-bill Financing Programs for Energy Efficiency

RESOLVE 49

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RAYE	OTP-AM	S-111

This bill directs the Public Utilities Commission to develop on-bill financing programs for energy efficiency improvements for small businesses. The bill also authorizes the Public Utilities Commission to direct investor-owned transmission and distribution utilities to implement on-bill financing programs for small business customers. On-bill financing is a method by which energy efficiency improvements are financed through the monthly electricity bill at 0% interest.

Committee Amendment "A" (S-111)

This amendment replaces the bill with a resolve. The amendment directs the Public Utilities Commission to examine options for establishing an on-bill financing program for the purchase and installation of energy efficiency measures and energy-efficient technologies by small businesses. The amendment also authorizes the commission to consider on-bill financing programs for residential electricity customers. The amendment requires the commission to submit a report of its findings and recommendations regarding on-bill financing to the Joint Standing Committee on Utilities and Energy by January 15, 2010, and it authorizes the committee to submit legislation concerning this subject to the Second Regular Session of the 124th Legislature.

Enacted Law Summary

Resolve 2009, chapter 49 directs the Public Utilities Commission to examine options for establishing an on-bill financing program for the purchase and installation of energy efficiency measures and energy-efficient technologies by small businesses and authorizes the commission to consider on-bill financing programs for residential electricity customers. The resolve requires the commission to submit a report of its findings and recommendations regarding on-bill financing to the Joint Standing Committee on Utilities and Energy by January 15, 2010, and it authorizes the committee to submit legislation concerning this subject to the Second Regular Session of the 124th Legislature.

LD 844 An Act To Reduce Costs for Customers of Northern Maine Consumer-owned Utilities

PUBLIC 108

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CLEARY COURTNEY	OTP-AM	H-85

Under current law a consumer-owned transmission and distribution utility (COU) may sale retail generation service in its own service territory. A COU, however, may not sell wholesale generation service except for incidental sales

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necessary to reduce the cost of retail service. This bill removes that limitation for COUs located within the territory administered by the independent system administrator for northern Maine and authorizes those COUs to sell wholesale generation services, without limitation, for the purpose of reducing its customers' costs.

Committee Amendment "A" (H-85)

This amendment changes the provision in the bill regarding the sale of wholesale generation service by a consumer-owned transmission and distribution utility (COU). The amendment specifies that a COU located within the territory administered by the independent system administrator for northern Maine may sell wholesale generation service in excess of its retail generation service when that sale of wholesale generation service is made as part of providing retail service.

Enacted Law Summary

Public Law 2009, chapter 108 authorizes a consumer-owned transmission and distribution utility located within the territory administered by the independent system administrator for northern Maine to sell wholesale generation service in excess of its retail generation service when that sale of wholesale generation service is made as part of providing retail service.

LD 845 Resolve, To Expand Access to Renewable Energy Programs

**RESOLVE 131
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ADAMS	OTP-AM	H-158 S-328 DIAMOND

This bill amends the solar and wind energy rebate program administered by the Public Utilities Commission to set aside 50% of the funds available for rebates to owners or tenants of residential or commercial property during the first 6 months of each fiscal year specifically for rebates to residential applicants whose household income is at or below the state median household income. During the remainder of the year, the bill authorizes the commission to distribute the remaining funds available for rebates without reference to the applicant's income level or property type.

Committee Amendment "A" (H-158)

This amendment replaces the bill with a resolve. The resolve directs the Public Utilities Commission, in cooperation with the University of Maine Cooperative Extension Service, to conduct a 2-year outreach and education program to provide information to Maine residents regarding renewable energy technology and systems for residential use and renewable energy programs and incentives available through federal, state and local agencies. The resolve requires the Public Utilities Commission, in cooperation with the University of Maine Cooperative Extension Service, to submit an interim report and a final report on this outreach and education program to the joint standing committee of the Legislature having jurisdiction over utilities and energy matters and authorizes the commission to adopt routine technical rules as necessary to implement the program. The amendment also adds an appropriations and allocations section.

Senate Amendment "A" To Committee Amendment "A" (S-328)

This amendment strikes an appropriations and allocations section in committee amendment "A" (H-158) as it is duplicative of appropriations and allocations provided in Resolve 2009, chapter 46.

Enacted Law Summary

Resolve 2009, chapter 131 directs the Public Utilities Commission, in cooperation with the University of Maine