

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

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

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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.

Resolve 2009, chapter 131 was finally passed as an emergency measure effective June 15, 2009.

LD 848 An Act To Encourage Green Commerce

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BECK SULLIVAN	ONTP	

This bill requires the Maine Technology Institute to establish a new grant program to award funds on a competitive basis to businesses that install or operate green technology that improves energy efficiency and uses renewable resources. The bill authorizes the Maine Technology Institute to apply for funds for this grant program from the conservation program fund of the Public Utilities Commission. It also authorizes the Public Utilities Commission to award funds from the conservation program fund to the Maine Technology Institute's program to support incentives for green technology.

LD 850 An Act To Ensure Local Broadband Coverage

**PUBLIC 63
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PINGREE DAMON	OTP-AM	H-64

This bill gives the Public Utilities Commission the authority to adopt rules to require a communications service provider that is providing broadband coverage within at least 50 percent of a municipality's geographic area to expand its broadband coverage to all of the geographic area within that municipality.

Committee Amendment "A" (H-64)

This amendment replaces the bill. The amendment requires the ConnectME Authority, in awarding grants, to give priority to proposals that, relative to other proposals, extend access to broadband service to a higher percentage of an unserved area. The amendment also requires the ConnectME Authority to consider the percentage of households with access to broadband service when establishing criteria to define unserved and underserved areas.

Enacted Law Summary

Public Law 2009, chapter 63 requires the ConnectME Authority, in awarding grants, to give priority to proposals that, relative to other proposals, extend access to broadband service to a higher percentage of an unserved area. The law also requires the ConnectME Authority to consider the percentage of households with access to broadband service when establishing criteria to define unserved and underserved areas.

Public Law 2009, chapter 63 was enacted as an emergency measure effective April 30, 2009.