

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 SELECT COMMITTEE ON MAINE'S ENERGY
FUTURE**

July 2009

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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 Select Committee on Maine's Energy Future

LD 755 An Act To Help the State Achieve Energy Independence and Security

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FLETCHER SMITH D	ONTP	

This bill enacts an income tax credit for persons eligible for a benefit under the Circuitbreaker Program for 10 percent of the cost of the installation of energy efficiency equipment, qualifying nonfossil fuel energy systems and weatherization materials on a structure in the State. The credit is limited to \$250 per tax return per structure. Funding for the credit of up to \$750,000 must be transferred to the General Fund from the Energy and Carbon Savings Trust Fund.

LD 774 An Act To Create Jobs and Improve Energy Efficiency through the Transformation of Maine's Housing Stock

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MITCHELL E	ONTP	

This bill establishes within the Maine State Housing Authority the Maine Energy, Housing and Economic Recovery Program to support the following: the construction of multifamily affordable housing units; renovation of affordable housing units; weatherization of owner-occupied residences; and replacement of manufactured housing units that do not meet the United States Department of Housing and Urban Development regulations, 24 Code of Federal Regulations, Part 3280. It directs that a portion of the revenues derived from the real estate transfer tax be deposited in a new fund to provide funds for the Maine Energy, Housing and Economic Recovery Program. It authorizes the issuance of revenue bonds by the Maine State Housing Authority for the purposes of the Maine Energy, Housing and Economic Recovery Program: the authority is required to issue revenue bonds in an amount of at least \$30,000,000 in fiscal year 2009-10 and an additional \$30,000,000 in fiscal year 2010-11 and may issue additional amounts as appropriate for the purposes of the program up to a maximum at any time of up to \$200,000,000;.

See also LD 1485.

LD 885 An Act To Provide a Tax Deduction for Landlords Who Complete Energy Audits on Rental Units

ONTP

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

This bill provides an income tax income reduction (sponsor's intent was to provide a tax credit) for a landlord or other lessor of residential property who has demonstrated to the satisfaction of the Public Utilities Commission that an energy audit on that landlord's or lessor's property has been completed. Each income reduction (credit) is capped at the cost of the audit, or \$750, whichever is less: for a building with 1 to 4 units, a maximum of one reduction (credit) for that building; for a building with 5 to 25 units, a maximum of 3 reductions (credits) for that building; for

Joint Select Committee on Maine's Energy Future

a building with 26 or more units, a maximum of 5 reductions (credits) for that building.

LD 886 An Act To Secure Maine's Energy Future

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PINGREE BARTLETT	ONTP	

This bill establishes a new entity, the Efficiency Maine Trust (EMT) responsible for planning, designing and administering energy efficiency programs. The EMT is designated as a nonprofit, 501(c)(3) charitable organization. The EMT is governed by a 16 member board, 12 of whom are voting members. The board appoints a director, who serves at the pleasure of the board, who manages the EMT programs. The bill provides for certain oversight of the EMT by the PUC: EMT programs must be in accordance with a triennial plan created by EMT and approved by the PUC; the PUC "negotiates" and approves performance measures governing the EMT; the PUC arranges for an independent evaluation of major programs (over \$500,000/year) at least once every three years; each year the EMT is required report to the PUC and the UTE committee an accounting of its activities, funding and expenditures; the PUC is directed to establish a fund to defray its costs in overseeing the EMT.

Under the bill, the oversight or administration of the following programs is given to Efficiency Maine Trust: electric conservation and efficiency programs currently under the jurisdiction of the Public Utilities Commission (PUC) under Title 35-A, section 3211-A (certain aspects of the law governing these programs changed); natural gas conservation and efficiency programs currently administered by the largest gas utility, Unitil, under the direction of the PUC under Title 35-A, section 4711; federal funds and programs for energy efficiency and weatherization (low-income federal programs would remain with the Maine State Housing Authority with approval of spending plans by the EMT); a new Regional Greenhouse Gas Initiative Trust Fund, which replaces the Energy and Carbon Savings Trust and the Maine Energy Conservation Board; a new heating fuels efficiency and weatherization fee and fund program funded by a new and annually increasing heating fuel charge assessed by PUC.

See also LD 1485.

LD 955 An Act To Transform the Maine Economy and Create Jobs

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MITCHELL E	ONTP	

This bill is a concept draft pursuant to Joint Rule 208.

This bill proposes to create the Energy Trust Authority under the Governor's Office of Energy Independence and Security. The purpose of the authority is to actively pursue and negotiate opportunities to transform the State into the greenest and healthiest state and to create jobs through: actively pursuing opportunities to lease portions of the State's highways and rights-of-way, including Interstate 95 and the Maine Turnpike, for the transmission of energy, including electricity, natural gas or other fossil fuel; ensuring the interconnection between the State's major transit systems of rail, ports and highways to maximize the State's connection to the national and international economy; and developing and implementing specific programs that ensure the State's reduction of its carbon footprint and greatly expanding healthy opportunities for the people and businesses of this State.