

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.

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energy credits for electricity generated from renewable resources, including electricity generated by community-based renewable energy projects. It requires the commission to administer a competitive bid process to select a green power offer provider or providers. The law also requires the commission to arrange the green power offer for the service territory of an investor-owned transmission and distribution utility and enables a consumer-owned transmission and distribution utility to elect to have the commission arrange a green power offer if the commission arranges standard-offer service for that utility. It requires the commission to inform consumers about the opportunity to purchase the green power offer and adds language to current law to allow for information regarding the green power offer to be presented through inserts in customer bills under the process that currently exists for other green power supply products. The law provides a sunset date of December 31, 2015 for the green power offer and for the existing law regarding bill inserts to inform consumers about green power supply products, which is currently repealed July 1, 2010.

LD 1095 An Act To Provide Affordable Installation of Alternative Energy Systems

ONTP

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

Under current law governing the solar and wind energy rebate program, an owner or tenant of residential or commercial property may receive a rebate for a qualified solar energy system that is installed on the property. This bill amends the law to provide that the installer of a qualified solar energy system or the owner or tenant of the property on which the qualified solar energy system is installed may receive the rebate. If the installer receives the rebate, the installer is required to pass through 100 percent of the rebate to the property owner or tenant.

LD 1114 An Act To Facilitate the Marketing of Power Produced by Small Generators

PUBLIC 197

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
VAN WIE	OTP-AM	H-226

This bill allows a transmission and distribution utility to aggregate electric power from multiple small generators and administer on behalf of those generators the purchase and sale of electricity to a competitive electricity provider. The parties to any resulting sale must be the generators and the competitive electricity provider.

Committee Amendment "A" (H-226)

This amendment replaces the bill and makes the following changes.

1. It clarifies the specific types of small generators whose power may be aggregated for sale to a competitive electricity provider by defining "eligible small generator" as a generator that has a generating capacity of up to 5 megawatts and generates electricity using a renewable resource or an efficient combined heat and power system.

2. It provides for sale of aggregated output from eligible small generators to the standard-offer service provider in the event that a transmission and distribution utility is unable to sell the aggregated output to a competitive electricity provider.

3. It permits, rather than requires as in the bill, the Public Utilities Commission to adopt rules to implement the sale

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of aggregated output of eligible small generators to competitive electricity providers, including rules to allow a transmission and distribution utility to collect an administrative fee from participating eligible small generators to cover reasonable costs incurred by the transmission and distribution utility. It classifies the rules as routine technical rather than major substantive as in the bill.

Enacted Law Summary

Public Law 2009, chapter 197 allows a transmission and distribution utility to aggregate electric power from eligible small generators and administer on behalf of those generators the purchase and sale of electricity to a competitive electricity provider. The law defines an "eligible small generator" as a generator that has a generating capacity of up to 5 megawatts and generates electricity using a renewable resource or an efficient combined heat and power system. The law provides for sale of aggregated output from eligible small generators to the standard-offer service provider in the event that a transmission and distribution utility is unable to sell the aggregated output to a competitive electricity provider. The law authorizes the Public Utilities Commission to adopt routine technical rules to implement the sale of aggregated output of eligible small generators to competitive electricity providers, including rules to allow a transmission and distribution utility to collect an administrative fee from participating eligible small generators to cover reasonable costs incurred by the transmission and distribution utility.

**LD 1152 An Act To Amend the Laws Governing Certain Reports and Reviews
Related to Utilities and Energy and Certain Positions at the Public
Utilities Commission**

PUBLIC 122

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HINCK	OTP	

This bill makes several changes to the laws governing Public Utilities Commission reports and reviews and the titles of positions at the commission.

1. This bill synchronizes the State Government Evaluation Act review reporting requirements for the Public Utilities Commission and the Emergency Services Communication Bureau within the commission. The commission review and the Emergency Services Communication Bureau review, under current law, are due in different years.
2. The bill incorporates the annual report on the gas conservation programs, natural gas rate-making mechanisms, electric restructuring, electric incentive ratemaking and low-income assistance programs and oxygen pump and ventilator benefits into the annual report of the commission. Under current law these annual reports have separate statutory reporting deadlines.
3. The bill clarifies that the Emergency Services Communication Bureau and public interest payphone annual reports, which under current law have the same statutory due date as the commission's annual report, are submitted as part of the commission's annual report as opposed to being submitted separately.
4. The bill eliminates the requirement that the commission report every four years to the joint standing committee of the Legislature having jurisdiction over utilities and energy matters on the appropriateness of the maximum fee for blocking or unblocking access to audiotext services and any recommendations for changing the fee.
5. Finally, the bill makes changes to the description of certain existing positions at the commission.

Enacted Law Summary

Public Law 2009, chapter 122 makes several changes to the laws governing Public Utilities Commission reports and reviews and the titles of positions at the commission.