

# 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  
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 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

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.

## *Joint Standing Committee on Utilities and Energy*

1. It 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. It 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. It 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. It 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, this law makes changes to the description of certain existing positions at the commission.

**LD 1155     An Act To Make Certain Changes to the Laws Governing Approval for  
Transmission Lines**

**PUBLIC 123**

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

Public Law 2007, chapter 575 lowered the threshold for requiring a certificate of public convenience and necessity for a transmission line from 100 kilovolts to 69 kilovolts. This bill removes certain language rendered unnecessary by the change in the threshold.

**Enacted Law Summary**

Public Law 2009, chapter 123 removes certain language rendered unnecessary by the change in the threshold for requiring a certificate of public convenience and necessity for a transmission line from 100 kilovolts to 69 kilovolts that was contained in Public Law 2007, chapter 575.

**LD 1176     An Act To Revise the Charter of the Portland Water District**

**P & S 18**

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

This bill revises several aspects of the charter of the Portland Water District. The bill makes a series of fairly technical changes related to bonding and financing. It amends the charter to change the election date for the trustees serving Windham and Raymond, so that trustee is elected at general elections in November. It also changes the meeting at which the trustees determine and declare successful candidates from the annual meeting to the first regular business meeting after the election. It adds a provision to the charter to authorize the district to enter into