

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

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**

July 2009

STAFF:

LUCIA A. NIXON, LEGISLATIVE ANALYST
OFFICE OF POLICY AND LEGAL ANALYSIS
13 STATE HOUSE STATION
AUGUSTA, ME 04333
(207) 287-1670

MEMBERS:

SEN. BARRY J. HOBBS, CHAIR
SEN. PETER B. BOWMAN
SEN. ROGER L. SHERMAN

REP. JON HINCK, CHAIR
REP. HERBERT C. ADAMS
REP. RICHARD D. BLANCHARD
REP. STACY T. DOSTIE
REP. SEAN FLAHERTY
REP. DAVID A. VAN WIE
REP. JOSEPH ANDREW WAGNER
REP. KENNETH C. FLETCHER
REP. STACEY ALLEN FITTS
REP. MICHAEL D. THIBODEAU

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

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

Joint Standing Committee on Utilities and Energy

contracts with municipalities outside the district, governmental entities or water or sewer utilities to provide administrative services such as billing, accounting and other administrative services related to water and sewer operations.

Enacted Law Summary

Private and Special Law 2009, chapter 18 revises several aspects of the charter of the Portland Water District. It 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 contracts with municipalities outside the district, governmental entities or water or sewer utilities to provide administrative services such as billing, accounting and other administrative services related to water and sewer operations.

LD 1222 An Act To Promote Geothermal Energy in the State

Carried Over

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

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to create a tax incentive program for geothermal energy, similar to the federal Energy Improvement and Extension Act of 2008 and the state solar and wind energy rebate program, to address the needs of residents who live in areas where solar or wind power are not viable options. Under proposed incentive program, homeowners who install geothermal heating and cooling systems would be eligible for a one-time tax credit of a percentage of the total investment for residential ground loop or ground water geothermal heat pump installations, with a maximum credit for a single residence.

LD 1222 was carried over to any special or regular session of the 124th Legislature pursuant to Joint Order H.P. 1053.

LD 1317 An Act To Amend the Charter of the Addison Point Water District

**P & S 21
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TILTON RAYE	OTP-AM	H-296

This bill amends the charter of the Addison Point Water District. It allows the district to have an annual meeting at the discretion of the trustees and requires that the trustees are elected at the annual meeting or at a special meeting if a vacancy occurs before the term of a trustee expires. It gives the trustees the authority to elect a treasurer and set the compensation for the treasurer. It requires the district to set rates in accordance with the Maine Revised Statutes, Title 35-A, chapter 61, and it authorizes the district to issue bonds and other indebtedness in accordance with Title 35-A, chapter 9 and section 6413.

Committee Amendment "A" (H-296)

This amendment clarifies the provision in the bill regarding the election of trustees of the Addison Point Water District and the transition of those trustees in office on the effective date of this Act. The amendment makes a