

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

Parts J and K transfer most responsibility for energy efficiency and distributed renewable energy technology programs now administered by the Public Utilities Commission to Efficiency Maine.

Part K establishes Efficiency Maine as a public instrumentality of the State governed by a board that is directed to contract with a nonprofit entity to administer all of Efficiency Maine's programs and activities. The contract is required to include strict benchmarks for a broad range of quality measures. Part K requires Efficiency Maine to implement a broad range of programs to increase energy efficiency for all of the State's residential, commercial and industrial energy consumers by using revenues from the sale of energy efficiency credits to fund cost-effective energy efficiency and distributed renewable energy technology products and services, workforce development activities to meet the demand for those programs and services and research, development and commercialization of products and services that reduce energy costs. Part K creates various legal immunities for Efficiency Maine and establishes certain exemptions for its records from Maine's freedom of access laws. Part K also requires Efficiency Maine to design its programs to maximize leveraging of other funding sources, including private financing, federal funds and payments from other New England states through the forward capacity market. Part K also authorizes the Finance Authority of Maine to issue revenue bonds for Efficiency Maine projects approved by Efficiency Maine.

Part L requires the Public Utilities Commission to adopt minimum appliance efficiency standards.

Part M requires the State Purchasing Agent to report to the Legislature on compliance with fuel economy mandates for state-purchased vehicles. Part M also requires the Department of Labor and the Department of Economic and Community Development to submit a proposal for an energy industry partnership for the downeast and coastal regions for funding by the Northern Border Regional Commission and to explore other possible energy industry partnership proposals. Part M also directs the Department of Economic and Community Development to analyze and report to the Legislature on barriers to participation in the green energy economy by businesses owned by women, minorities and other target populations. Part M directs the Department of Labor and the Department of Economic and Community Development in carrying out their duties under the Green Energy Job Growth Initiative and Part D of the bill to consider approaches taken in Oregon and Washington. Part M also includes an application provision grandfathering certain already-approved construction projects of the State, counties, municipalities and schools from the new efficiency standards established under the bill. Part M provides that it is the Legislature's intent that various specific programs now administered by various agencies be administered by Efficiency Maine or coordinated with its efforts. Part M provides for the transfer of all of the Public Utilities Commission's Efficiency Maine program assets, fund and contracts to the new Efficiency Maine entity established under the bill.

Part N corrects cross-references.

See also LD 1485.

LD 1201 **An Act Regarding Energy Independence**

ONTP

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

This bill:

1. Establishes Efficiency Maine Plus (EM+) as an independent authority and public body corporate and politic and instrumentality of the state to plan, develop and implement energy conservation, carbon reduction and renewable energy programs to meet certain specified goals. The director is appointed by the Governor, subject to legislative confirmation, to serve a 4-year term;

Joint Select Committee on Maine's Energy Future

2. Creates the EM+ Council to develop, plan, coordinate and evaluate all EM+ programs. The council consists of 9 voting members appointed by Gov. and subject to confirmation by legislature who serve 3-year staggered terms. The duties of the council include establishing and revising programs in accordance with a quadrennial plan; developing quantifiable measures of performance to which it will be held accountable and to which it will hold recipients of program funds; adopting rules regarding expenditure of funds and providing for independent evaluation of program expenditures. It is also required to establish standards for training and certification of energy auditors, weatherization technicians, and solar and wind energy system installers. It is required to consult with the Maine State Housing Authority on energy programs and report annually to the Governor and Legislature;

3. Beginning 1 July 2010, provides that EM+ administers these programs: electric conservation programs now administered by the Public Utilities Commission (PUC) (with some changes); Carbon savings program (RGGI) now administered by the Trust; Natural gas conservation program now administered by the gas utility Unitil under the direction of the PUC; Solar and wind rebate program now administered by PUC; Training for installers of solar equipment now administered by PUC; Training for energy auditors now administered by the PUC; Federal energy programs; Energy Conservation Small Business Revolving Loan Program now administered by the PUC; suggested energy efficiency standards and disclosure statement for rental property currently administered by the Maine State Housing Authority and PUC; public information and outreach program now administered by PUC. It also authorizes EM+ to establish and administer a new building weatherization program to provide weatherization for middle and upper-income homeowners.

4. On July 1, 2010, abolishes the Carbon Savings Trust, Maine Energy Conservation Board and the Energy Resources Council and the Efficiency Maine program at PUC and transfers their responsibilities to EM+;

5. Establishes a task force to look at and report recommendations for improving efficiency at state facilities;

6. Modifies duties of OEIS to among other things promote interagency coordination with EM+; and

7. Creates within the Department of Administrative and Financial Services a new Energy Independence Fund. The fund receives revenues from the use of state waters and state-owned islands for generation of energy, transmission of energy or communications systems and compensation for leasing highways as energy corridors.

See also LD 1485.

LD 1236 **Resolve, Regarding Legislative Review of the Proposed Plan Dated March 19, 2009 Submitted by the Maine State Housing Authority for the Use of Federal Energy Stimulus Funds**

**RESOLVE 45
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	H-197

This resolve provides for legislative review of the proposed plan for the use of federal energy stimulus funds submitted by the Maine State Housing Authority on March 19, 2009.

Committee Amendment "A" (H-197)

This amendment modifies the resolve to approve the plan for the use of federal weatherization stimulus funds developed by the Maine State Housing Authority and presented in the attachments to the memorandum dated April 22, 2009 from the Maine State Housing Authority to the Joint Select Committee on Maine's Energy Future.

Enacted Law Summary