

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

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

Joint Select Committee on Maine's Energy Future

Resolve 2009, Chapter 45 approves 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.

Resolve 2009, Chapter 45 was finally passed as an emergency measure effective May 15, 2009.

**LD 1478 *Resolve, Regarding Legislative Approval of the Public Utilities
Commission's Plan for the Use of American Recovery and Reinvestment
Act of 2009 Funds***

**RESOLVE 46
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP	S-141 PERRY J

This resolve, which is reported by the Joint Select Committee on Maine's Energy Future pursuant to Joint Order 2009, H.P. 63, approves the plan for the use of the federal American Recovery and Reinvestment Act of 2009 funds as submitted by the Public Utilities Commission on March 19, 2009 and updated on April 27, 2009.

Senate Amendment "A" (S-141)

This amendment was presented on behalf of the Committee on Engrossed Bills to correct a department total in the appropriations and allocations section.

Enacted Law Summary

Resolve 2009, Chapter 46, which was reported by the Joint Select Committee on Maine's Energy Future pursuant to Joint Order 2009, H.P. 63, approves the plan for the use of the federal American Recovery and Reinvestment Act of 2009 funds as submitted by the Public Utilities Commission on March 19, 2009 and updated on April 27, 2009.

Resolve 2009, Chapter 46 was finally passed as an emergency measure effective May 15, 2009.

LD 1485 *An Act Regarding Maine's Energy Future*

**PUBLIC 372
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP A OTP-AM B ONTP C	H-540 MARTIN J L

This bill, which is the majority report of the Joint Select Committee on Maine's Energy Future submitted pursuant to Joint Order 2009, House Paper 63, does the following.

PART A repeals on July 1, 2010 the following energy efficiency and renewable energy entities and programs and associated provisions of current law:

1. The Energy Resources Council;
2. The Energy and Carbon Savings Trust (program responsibilities transferred to the new entity in Part B);
3. The Public Utilities Commission's (PUC) electric conservation programs (program responsibilities transferred to the new entity in Part B);