

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.

Joint Standing Committee on Utilities and Energy

jurisdiction over utilities and energy matters by April 1, 2010 and a final report no later than December 31, 2011 regarding the grants provided.

Resolve 2009, chapter 65 was finally passed as an emergency measure effective May 22, 2009.

LD 1349

An Act To Streamline Ratemaking for Consumer-owned Water Utilities

PUBLIC 237

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BLANCHARD SHERMAN	OTP-AM	H-320

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to give a consumer-owned water utility the authority to decrease its rates or to increase its rates between 3 percent and 5 percent without the changes being subject to investigation and suspension by the Public Utilities Commission before the changes go into effect. The bill proposes to limit such increases or decreases in rates to a total of 10 percent during a 5-year period.

Committee Amendment "A" (H-320)

This amendment replaces the bill. The amendment allows a consumer-owned water utility that has negative net income in two consecutive fiscal years to file for a limited rate increase under a streamlined process. The rate increase that a consumer-owned water utility may propose is limited to 2, 3.5 or 5 percent of current rates depending on the size of the utility as measured by annual revenues, and the cumulative total of rate increases over 5 years is limited to 10 percent. Under the streamlined process, a consumer-owned water utility is required to hold a public meeting regarding the proposed rate increase and provide a public comment period at that meeting. After the public meeting, the governing body of the consumer-owned water utility is required to hold a meeting to deliberate and vote on the proposed rate increase. The consumer-owned water utility is required to record and file with the Public Utilities Commission minutes of the public meeting and the meeting of the governing body, which must include a record of the public comment, the vote of the governing body and responses of the governing body to the public comment received. The amendment requires the utility to file its changed rates with the commission within 30 days of the vote of the governing body and not sooner than 10 days following the vote.

Enacted Law Summary

Public Law 2009, chapter 237 allows a consumer-owned water utility that has negative net income in 2 consecutive fiscal years to file for a limited rate increase under a streamlined process. The rate increase that a consumer-owned water utility may propose is limited to 2, 3.5 or 5 percent of current rates depending on the size of the utility as measured by annual revenues, and the cumulative total of rate increases over 5 years is limited to 10 percent. Under the streamlined process, a consumer-owned water utility is required to hold a public meeting regarding the proposed rate increase and provide a public comment period at that meeting. After the public meeting, the governing body of the consumer-owned water utility is required to hold a meeting to deliberate and vote on the proposed rate increase. The consumer-owned water utility is required to record and file with the Public Utilities Commission minutes of the public meeting and the meeting of the governing body, which must include a record of the public comment, the vote of the governing body and responses of the governing body to the public comment received. This law requires the utility to file its changed rates with the commission within 30 days of the vote of the governing body and not sooner than 10 days following the vote.