

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
124<sup>TH</sup> LEGISLATURE  
SECOND REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed during the Second Regular Session of the 124<sup>th</sup> Maine Legislature coming from the

**JOINT STANDING COMMITTEE ON UTILITIES AND  
ENERGY**

April 2010

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# STATE OF MAINE

124<sup>TH</sup> LEGISLATURE  
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## 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 Second 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:

<i>CARRIED OVER</i> .....	<i>Carried over to a subsequent session of the Legislature</i>
<i>CON RES XXX</i> .....	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>CONF CMTE UNABLE TO AGREE</i> .....	<i>Committee of Conference unable to agree; bill died</i>
<i>DIED BETWEEN HOUSES</i> .....	<i>House &amp; Senate disagree; bill died</i>
<i>DIED IN CONCURRENCE</i> .....	<i>One body accepts ONTP report; the other indefinitely postpones the bill</i>
<i>DIED ON ADJOURNMENT</i> .....	<i>Action incomplete when session ended; bill died</i>
<i>EMERGENCY</i> .....	<i>Enacted law takes effect sooner than 90 days</i>
<i>FAILED EMERGENCY ENACTMENT/FINAL PASSAGE</i> .....	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED ENACTMENT/FINAL PASSAGE</i> .....	<i>Bill failed to get majority vote</i>
<i>FAILED MANDATE ENACTMENT</i> .....	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>NOT PROPERLY BEFORE THE BODY</i> .....	<i>Ruled out of order by the presiding officers; bill died</i>
<i>INDEF PP</i> .....	<i>Bill Indefinitely Postponed; bill died</i>
<i>ONTP (or Accepted ONTP report)</i> .....	<i>Ought Not To Pass report accepted; bill died</i>
<i>P&amp;S XXX</i> .....	<i>Chapter # of enacted Private &amp; Special Law</i>
<i>PUBLIC XXX</i> .....	<i>Chapter # of enacted Public Law</i>
<i>RESOLVE XXX</i> .....	<i>Chapter # of finally passed Resolve</i>
<i>UNSIGNED</i> .....	<i>Bill held by Governor</i>
<i>VETO SUSTAINED</i> .....	<i>Legislature failed to override Governor's Veto</i>

The effective date for non-emergency legislation enacted in the Second Regular Session of the 124<sup>th</sup> Legislature is Monday, July 12, 2010. 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*

**LD 1556      Resolve, To Review Certification Requirements for Installation of Solar Photovoltaic Systems**

**RESOLVE 152  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
NELSON	OTP-AM	H-609

This resolve directs the Public Utilities Commission, energy programs division to review the qualifications required for a rebate for installation of solar energy systems under the Maine Revised Statutes, Title 35-A, section 3211-C, subsection 2 and report to the Joint Standing Committee on Utilities and Energy with recommendations on whether those requirements are appropriate for ensuring proper installation of solar energy systems. The report is due within 30 days of the effective date of this resolve, and the committee is authorized to introduce a bill on this matter to the Second Regular Session of the 124th Legislature.

**Committee Amendment "A" (H-609)**

This amendment limits the scope of the review by the Public Utilities Commission of installation requirements for solar rebates to a review of the installation requirements for solar photovoltaic systems. The amendment also requires the Public Utilities Commission, in conducting the review, to give particular attention to the requirement of certification by a North American board of certified energy practitioners and to consider a requirement that is based, instead, on an entry-level exam for solar photovoltaic installations.

**Enacted Law Summary**

Resolve 2009, chapter 152 directs the Public Utilities Commission, energy programs division to review the installation qualifications required for a rebate for installation of solar photovoltaic systems under the solar and wind energy rebate program and to evaluate whether those requirements are necessary and appropriate for ensuring safe and proper installation of such systems. The resolve requires the Public Utilities Commission, in conducting the review, to give particular attention to the requirement that an installer is certified by a North American board of certified energy practitioners and consider a requirement that is based, instead, on an entry-level exam for solar photovoltaic installations. The resolve requires that the commission report its findings and recommendations within 30 days of the effective date of the resolve to the Joint Standing Committee on Utilities and Energy and authorizes the committee to introduce a bill to implement the recommendations to the Second Regular Session of the 124th Legislature.

Resolve 2009, chapter 152 was finally passed as an emergency measure effective March 1, 2010.

**LD 1557      An Act To Raise the Indebtedness Limit of the Eagle Lake Water and Sewer District**

**P & S 28**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARTIN J L JACKSON	OTP	

This bill raises the indebtedness limit of the Eagle Lake Water and Sewer District from \$2,500,000 to \$3,500,000.

**Enacted Law Summary**

Private and Special Law 2009, chapter 28 raises the indebtedness limit of the Eagle Lake Water and Sewer District

## *Joint Standing Committee on Utilities and Energy*

from \$2,500,000 to \$3,500,000.

**LD 1571     An Act To Ensure That Maine's Energy Corridor Policy Does Not Harm Maine's Renewable Power Development**

**ONTP**

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

This bill amends the laws that establish the Commission to Study Energy Infrastructure, which is charged with developing a plan for agreements for leasing or otherwise allowing the use of state-owned lands or assets for the installation of lines, cables, pipelines or other structures for the transmission of energy resources, communication transmission systems or related facilities. The bill requires the commission to make specific findings regarding the potential for the development of renewable and other energy projects in this State before final adoption of an energy corridor plan and requires the commission, in the development of the plan, to consider and give preference to energy project development in this State. The bill directs the commission to make findings of fact based on economic models developed by the Executive Department, State Planning Office to assess employment, taxation and other economic effects of power production in this State and the development of different types of corridors in this State and to assess and quantify the effect of the various options on consumers in this State in the short term and the long term. This bill also extends the commission's report deadline to May 1, 2010.

**LD 1578     Resolve, To Direct the Public Utilities Commission and the Public Advocate To Account for Certain Resource Expenditures**

**RESOLVE 190**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FLAHERTY BARTLETT	OTP-AM	H-697

Under current law, the Public Utilities Commission and the Office of Public Advocate assess utilities to fund the legislatively approved budgets for these agencies. This bill directs that the assessment be applied to communications service providers, which will broaden the pool of entities sharing the cost.

**Committee Amendment "A" (H-697)**

This amendment replaces the bill with a resolve that directs the Public Utilities Commission and the Public Advocate, beginning no later than July 1, 2010, to separately account for and track resources devoted to matters related to providers of communications services that are not subject to assessments pursuant to the Maine Revised Statutes, Title 35-A, section 116. The Public Utilities Commission and the Public Advocate are required to report the accounting to the joint standing committee of the Legislature having jurisdiction over utilities and energy matters by January 15, 2012 together with any recommendations regarding the practicality of subjecting any communications service providers to assessments pursuant to Title 35-A, section 116.

**Enacted Law Summary**

Resolve 2009, chapter 190 directs the Public Utilities Commission and the Public Advocate, beginning no later than July 1, 2010, to separately account for and track resources devoted to matters related to providers of communications services that are not subject to assessments pursuant to the Maine Revised Statutes, Title 35-A, section 116. The Public Utilities Commission and the Public Advocate are required to report the accounting to the joint standing committee of the Legislature having jurisdiction over utilities and energy matters by January 15, 2012 together with any recommendations regarding the practicality of subjecting any communications service providers to assessments