

# 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  
SECOND 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 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:

*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 HOUSES*..... 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 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

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<br>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<br>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

# Joint Standing Committee on Utilities and Energy

pursuant to Title 35-A, section 116.

**LD 1581      Resolve, Regarding Commercial Electricity Customers Whose Bills  
Increased after a Decrease in Electricity Use**

**RESOLVE 179**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| FITTS<br>HOBBINS  | OTP-AM                  | H-700<br>H-739 FITTS      |

This bill requires the Public Utilities Commission to ensure that there is no increase in an electricity customer's bill as a result of that customer's reduction in demand or consumption of electricity attributable to the implementation of energy conservation or energy efficiency measures.

**Committee Amendment "A" (H-700)**

This amendment replaces the bill with a resolve. The amendment addresses those commercial electricity customers that experienced higher electricity bills after a decrease in electricity use and that have been found to be eligible for the best rate option in the Public Utilities Commission's investigation into rate class changes applicable to transmission and distribution general service customers due to energy efficiency or demand reduction, Public Utilities Commission Docket # 2009-397. The amendment requires that those particular commercial customers receive credits for the difference between what the customers were actually charged for delivery service during the 12-month period preceding the commission's final order in Public Utilities Commission Docket # 2009-397 and what the customers would have been charged under the best rate option during that period.

**House Amendment "A" To Committee Amendment "A" (H-739)**

This amendment ensures that the cost of customer credits required by this resolve are recoverable by the utility.

**Enacted Law Summary**

Resolve 2009, chapter 179 addresses those commercial electricity customers that experienced higher electricity bills after a decrease in electricity use and that have been found to be eligible for the best rate option in the Public Utilities Commission's investigation into rate class changes applicable to transmission and distribution general service customers due to energy efficiency or demand reduction, Public Utilities Commission Docket # 2009-397. The resolve requires that those particular commercial customers receive credits for the difference between what the customers were actually charged for delivery service during the 12-month period preceding the commission's final order in Public Utilities Commission Docket # 2009-397 and what the customers would have been charged under the best rate option during that period. The cost of customer credits required by this resolve are recoverable by the utility.

**LD 1589      An Act To Authorize Sanitary Districts, Water Utilities and Sewer  
Districts To Waive an Automatic Lien Foreclosure**

**PUBLIC 490**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| CHASE<br>NASS R   | OTP-AM                  | H-600<br>H-630 HINCK      |