

MAINE STATE LEGISLATURE

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STATE OF MAINE
124TH LEGISLATURE
SECOND REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed during the Second 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
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 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:

<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 & 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&S XXX</i>	<i>Chapter # of enacted Private & 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 124th 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

Enacted Law Summary

Public Law 2009, chapter 542 amends the laws governing renewable resources. This law:

1. Clarifies which resources are subject to the 100-megawatt capacity limit on new renewable capacity resources in order to qualify for the new renewable resource portfolio requirement above 30% and related renewable energy credits under that law and the law governing green power options. Specifically, the amendment clarifies that all new renewable capacity resources except for wind power installations are subject to the 100-megawatt limit;
2. Adds definitions of "new" and "renewable capacity resources" to the law governing renewable resources portfolio requirements rather than relying on cross-references to those terms as used in the capacity resource adequacy laws;
3. Specifies types of biomass generators included within the definitions of "renewable resource" and "renewable capacity resource." This clarifies that generators fueled by wood or wood waste, landfill gas or anaerobic digestion of agricultural products, by-products or wastes qualify under the basic portfolio requirement, the new renewable resource portfolio requirement, the law governing green power options and the community-based renewable energy pilot program;
4. Amends the definition of "renewable capacity resource" in the law governing capacity resource adequacy, the definitions of "green power supply" and "renewable energy credit" in the law governing green power options and the definition of "eligible renewable resource" in the law governing the community-based renewable energy pilot program to make them consistent with the definition of "renewable capacity resource" now provided in the law governing renewable resource portfolio requirements; and
5. Clarifies that "renewable energy credit" includes a tradable instrument that represents an amount of electricity generated from eligible resources.

LD 1695

Resolve, Directing the Public Utilities Commission To Address Public Safety Issues Relating to Disconnection of Certain Utilities

**RESOLVE 168
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ADAMS CRAVEN	OTP-AM	H-680

This bill requires the Public Utilities Commission to adopt rules that require the notification of the owner of multiunit residential rental property when utilities are disconnected or terminated and provide the tenant whose service is being disconnected or terminated with information about utility payment assistance programs.

Committee Amendment "A" (H-680)

This amendment replaces the bill with a resolve that directs the Public Utilities Commission, in consultation with representatives of transmission and distribution utilities, gas utilities and water utilities as well as representatives of owners of rental units and representatives of tenants and other interested persons, to seek to develop appropriate and reasonable procedures to allow owners of rental units to receive notice of disconnection of electric, gas or water service to a tenant. The commission is directed to examine a variety of issues related to this matter and is authorized to take action pursuant to existing laws and rules or to adopt rules as necessary to achieve the goals of the resolve. The commission is required to report to the joint standing committee of the Legislature having jurisdiction over utilities and energy matters by January 15, 2011 the results of its examination as well as any procedures established. The amendment also adds an emergency preamble and an emergency clause.

Enacted Law Summary

Joint Standing Committee on Utilities and Energy

Resolve 2009, chapter 168 directs the Public Utilities Commission, in consultation with representatives of transmission and distribution utilities, gas utilities and water utilities as well as representatives of owners of rental units and representatives of tenants and other interested persons, to seek to develop appropriate and reasonable procedures to allow owners of rental units to receive notice of disconnection of electric, gas or water service to a tenant. The commission is directed to examine a variety of issues related to this matter and is authorized to take action pursuant to existing laws and rules or to adopt rules as necessary to achieve the goals of the resolve. The commission is required to report to the joint standing committee of the Legislature having jurisdiction over utilities and energy matters by January 15, 2011 the results of its examination as well as any procedures established.

See also LD 1644.

Resolve 2009, chapter 168 was finally passed as an emergency measure effective March 24, 2010.

LD 1696 An Act Regarding Community-based Renewable Energy

**PUBLIC 565
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ADAMS	OTP-AM	H-730

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to revise recently enacted legislation on feed-in tariffs and community-based energy generation facilities to correct some issues that have arisen.

Committee Amendment "A" (H-730)

This amendment replaces the bill, which was a concept draft. The amendment makes community-based renewable energy projects eligible for funds from the voluntary Renewable Resource Fund for community demonstration projects. The amendment also transfers all duties regarding the administration of the Renewable Resource Fund to the Efficiency Maine Trust as of July 1, 2010, instead of having responsibilities for that fund divided between the trust and the Public Utilities Commission. The amendment specifies that, under the community-based renewable energy pilot program, the municipal legislative body can delegate to its municipal officers the authority to pass the required resolution of support for a community-based renewable energy project.

The amendment clarifies that, as of July 1, 2010, community-based renewable energy projects continue to be eligible to apply for funding from the Regional Greenhouse Gas Initiative Trust Fund as nonelectric savings programs. Until July 1, 2010, current law provides that these projects are eligible to apply for funding from the Energy and Carbon Savings Trust Fund, which becomes the Regional Greenhouse Gas Initiative Trust Fund on that date.

The amendment also prohibits a state agency or instrumentality that is administering American Reinvestment and Recovery Act of 2009 funds from prohibiting a community-based renewable energy project that is eligible to receive such funds under federal guidelines from applying to the state agency or instrumentality for such funds.

Enacted Law Summary

Public Law 2009, chapter 565 makes community-based renewable energy projects eligible for funds from the voluntary Renewable Resource Fund for community demonstration projects and transfers all duties regarding the administration of the Renewable Resource Fund to the Efficiency Maine Trust as of July 1, 2010, instead of having responsibilities for that fund divided between the trust and the Public Utilities Commission. The law also specifies that, under the community-based renewable energy pilot program, the municipal legislative body can delegate to its municipal officers the authority to pass the required resolution of support for a community-based renewable energy project.