

# 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**

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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*

This law 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.

This law 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.

Public Law 2009, chapter 565 was enacted as an emergency measure effective March 29, 2010.

**LD 1697**

### **An Act To Protect Universal Service**

**ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FITTS	ONTP	

This bill prohibits instrumentalities, institutions or agencies of the State from providing telecommunications service or information service to any person other than itself or its tenants. The bill also prohibits instrumentalities, institutions or agencies of the State from procuring such services in a manner that constrains or limits alternative proposals to meet instrumentalities', institutions' or agencies' needs. The bill establishes a right of action for injunctive relief and damages for violation of these requirements. The bill also repeals authority for the University of Maine to install lines on existing utility facilities within or along a right of way for the purpose of transmitting data and communications.

### **LD 1717     An Act To Increase the Affordability of Clean Energy for Homeowners and Businesses**

**PUBLIC 591  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CROCKETT P BLISS	OTP-AM	H-745

This bill allows a municipality, on its own or through agreement with other municipalities, counties, nonprofit organizations, private lenders or other entities, to establish a clean energy improvement financing program under which financing for a clean energy improvement located on a qualifying real property is secured, with the written agreement of all owners of record of the property, by a municipal lien on the property that takes precedence over all other claims on the property, excepting only claims for property taxes and liens for nonpayment of sewer or water utility services, and that is enforced by the municipality in the same manner as is a municipal property tax lien. It defines "clean energy improvement" as an energy efficiency improvement or energy generation system that relies on solar arrays and installations, geothermal installations or wind power installations as authorized by the municipality.

#### **Committee Amendment "A" (H-745)**

This amendment replaces the bill. The amendment does the following.

1. It enacts the Property Assessed Clean Energy Act, or PACE Act, which authorizes the Efficiency Maine Trust and municipalities to establish property assessed clean energy programs, referred to as PACE programs, under which