

MAINE STATE LEGISLATURE

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STATE OF MAINE
125TH LEGISLATURE
FIRST REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed

**JOINT STANDING COMMITTEE ON ENERGY, UTILITIES
AND TECHNOLOGY**

July 2011

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LEGISLATIVE DIGEST OF BILL SUMMARIES AND
ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* summarizes all LDs and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 125th Maine Legislature.

The *Digest* is arranged alphabetically by committee and within each committee by Legislative Document (LD) number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each LD 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 LD is noted to the right of the LD title. The following describes the various final actions.

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; legislation died
DIED BETWEEN HOUSES..... House & Senate disagreed; legislation died
DIED IN CONCURRENCE..... defeated in each house, but on different motions; legislation died
DIED ON ADJOURNMENT..... action incomplete when session ended; legislation died
EMERGENCY..... enacted law takes effect sooner than 90 days after session adjournment
FAILED, EMERGENCY ENACTMENT or FINAL PASSAGE emergency failed to receive required 2/3 vote
FAILED, ENACTMENT or FINAL PASSAGE..... failed to receive final majority vote
FAILED, MANDATE ENACTMENT legislation proposing local mandate failed required 2/3 vote
HELD BY GOVERNOR..... Governor has not signed; final disposition to be determined at subsequent session
LEAVE TO WITHDRAW..... sponsor's request to withdraw legislation granted
NOT PROPERLY BEFORE THE BODY..... ruled out of order by the presiding officer; legislation died
INDEF PP..... indefinitely postponed; legislation died
ONTP, ACCEPTED, MAJORITY, MINORITY or REPORT X... ought-not-to-pass report accepted; legislation died
P&S XXX..... chapter # of enacted private & special law
PUBLIC XXX..... chapter # of enacted public Law
RESOLVE XXX..... chapter # of finally passed resolve
VETO SUSTAINED..... Legislature failed to override Governor's veto

The effective date for non-emergency legislation enacted in the First Regular Session of the 125th Legislature is September 28, 2011. The effective date for legislation enacted as an emergency measure may be found in the enacted law summary for that legislation.

Joint Standing Committee on Energy, Utilities and Technology

**LD 13 Resolve, Regarding Legislative Review of Portions of Chapter 316:
Long-Term Contracting and Resource Adequacy, a Major Substantive
Rule of the Public Utilities Commission**

**RESOLVE 10
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	H-6

This resolve provides for legislative review of portions of Chapter 316: Long-Term Contracting and Resource Adequacy, a major substantive rule of the Public Utilities Commission. Chapter 316 was first adopted in January 2007. PL 2009, chapter 518 amended the commission's authority for long-term contracts. The commission amended its rule to conform with the changes in PL 2009, chapter 518. This resolve provides for legislative review of that amended rule.

Committee Amendment "A" (H-6)

This amendment conditionally authorizes a major substantive rule of the Public Utilities Commission, Chapter 316: Long-Term Contracting and Resource Adequacy. The Public Utilities Commission is directed to amend the rule to clarify that contracts may include renewable energy credits and that payments will be made only after contracted amounts of capacity, related energy or renewable energy credits have been provided, except for the exceptions provided in the Maine Revised Statutes, Title 35-A, section 3210-C, subsection 9, paragraphs A and B.

Enacted Law Summary

Resolve 2011, chapter 10 conditionally authorizes a major substantive rule of the Public Utilities Commission, Chapter 316: Long-Term Contracting and Resource Adequacy. The Public Utilities Commission is directed to amend the rule to clarify that contracts may include renewable energy credits and that payments will be made only after contracted amounts of capacity, related energy or renewable energy credits have been provided, except for the exceptions provided in the Maine Revised Statutes, Title 35-A, section 3210-C, subsection 9, paragraphs A and B.

Resolve 2011, chapter 10 was finally passed as an emergency measure effective March 31, 2011.

**LD 48 An Act To Require Oral Disclosure of the Cost of Certain Public
Telephone Calls**

INDEF PP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FLOOD DIAMOND	JT RULE 309	

This bill requires a person who owns, controls, operates or manages a public telephone to provide oral notice of the cost of a collect, operator-assisted or credit card call to the person making that telephone call before the call is placed.

Committee Amendment "A" (H-38)

This amendment, which is the minority report of the Joint Standing Committee on Energy, Utilities and Technology, strikes the bill and directs the Public Utilities Commission to adopt major substantive rules that establish oral notice requirements for providers of intrastate telecommunications service initiated from public telephones. The provisions the commission is directed to adopt are the same provisions that are established in rules of the Federal

Joint Standing Committee on Energy, Utilities and Technology

Communications Commission that apply to providers of interstate telecommunications service. The federal rules require, among other things, that the provider audibly identify itself, disclose upon request a quotation of its charges for the call and instruct the caller how to obtain applicable rate and surcharge quotations. The provider is given 2 options for how it instructs the caller to obtain the rate and surcharge information: instructing the customer to dial no more than 2 digits or instructing the customer to remain on the line.

This bill was originally reported out of committee with a majority ONTP report and the minority report described above (H-38). The bill was later recommitted to the committee and, after the deadline for reporting all bills out of committee had passed, was removed from the committee pursuant to Joint Rule 309 and indefinitely postponed in both houses.

LD 68 Resolve, Directing the Public Utilities Commission To Examine the **ONTP
Purchase of Low-cost Electric Power from Quebec**

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

This resolve directs the Public Utilities Commission to examine the possibility of purchasing low-cost electric power from Quebec, Canada and to report to the Joint Standing Committee on Energy, Utilities and Technology by January 15, 2012.

LD 84 An Act To Improve the Sewer District Rate Collection Procedures **PUBLIC 26
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FITTS	OTP-AM	H-25

This bill provides sewer districts with the same authority as sanitary districts to place a mortgage lien on real estate served or benefited by the district's sewers for nonpayment of rates. The procedures for foreclosing the lien are the same as for sanitary district liens.

Committee Amendment "A" (H-25)

This amendment limits the application of the lien provisions in the bill to qualified sewer districts. A qualified sewer district is a district:

1. Whose charter does not establish, or authorize the district to establish, a lien on real estate served by the district; and
2. That has been approved to exercise the lien provisions of the law by the voters of the district voting in a referendum.

Enacted Law Summary

Public Law 2011, chapter 26 provides qualified sewer districts with the same authority as sanitary districts to place a mortgage lien on real estate served or benefited by the district's sewers for nonpayment of rates. The procedures for foreclosing the lien are the same as for sanitary district liens. A qualified sewer district is a district: