

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 529 An Act To Enhance Transparency in the Regulation of Large, Investor-owned Transmission and Distribution Utilities

PUBLIC 71

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CORNELL DU HOUX BARTLETT	OTP-AM	H-79

This bill requires CMP and BHE to include with the balance sheet filed with the PUC a calculation of its rate of regulated return on common equity, and the same calculation for each of the previous 10 years.

Committee Amendment "A" (H-79)

This amendment requires a large, investor-owned transmission and distribution utility to report its return on common equity on investments subject to commission jurisdiction. This amendment also modifies the bill to require a large, investor-owned transmission and distribution utility to provide a calculation of the utility's return on common equity for each of the previous 3 years, rather than the previous 10 years.

Enacted Law Summary

Public Law 2011, chapter 71 requires a large, investor-owned transmission and distribution utility to report its return on common equity on investments subject to commission jurisdiction. It also requires a large, investor-owned transmission and distribution utility to provide a calculation of the utility's return on common equity for each of the previous 3 years.

LD 553 An Act To Improve Maine's Energy Security

PUBLIC 400

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FITTS BARTLETT	OTP-AM	H-572

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes that the Efficiency Maine Trust, with input from stakeholders, develop a plan to reduce Maine's dependence on oil. The targets may not provide less than a 30% overall reduction in oil consumption from 2009 levels by 2030 and a 50% overall reduction from 2009 levels by 2050. The concept draft lists a number of potential policies and measures for the Trust's consideration to reduce oil consumption.

The Efficiency Maine Trust shall report to the Joint Standing Committee on Energy, Utilities and Technology by February 2012 with recommendations for short-term and mid-term policies needed to achieve the overall reductions in oil use, including recommendations for specific legislative actions. The recommendations must require that, by January 15, 2014 and by January 15th every 5 years thereafter, the Governor's Office of Energy Independence and Security shall evaluate the State's progress toward meeting the oil-reduction goals and make additional recommendations to the joint standing committee of the Legislature having jurisdiction over energy, utilities and technology matters as necessary to ensure that the State can meet the reduction goals.

Committee Amendment "A" (H-572)

This amendment strikes the concept draft and replaces it. This amendment establishes targets under the Governor's Office of Energy Independence and Security to reduce the State's consumption of oil by at least 30% from 2007

Joint Standing Committee on Energy, Utilities and Technology

levels by 2030 and at least 50% from 2007 levels by 2050. It requires the Governor's Office of Energy Independence and Security to develop a plan to achieve those targets and to submit that plan to the Legislature by December 1, 2012. It requires the biennial comprehensive state energy plan under the Maine Revised Statutes, Title 2, section 9, subsection 3, paragraph C to include a section regarding the State's progress in meeting the oil dependence reduction targets.

Enacted Law Summary

Public Law 2011, chapter 400 establishes targets under the Governor's Office of Energy Independence and Security to reduce the State's consumption of oil by at least 30% from 2007 levels by 2030 and at least 50% from 2007 levels by 2050. It requires the Governor's Office of Energy Independence and Security to develop a plan to achieve those targets and to submit that plan to the Legislature by December 1, 2012. It requires the biennial comprehensive state energy plan under the Maine Revised Statutes, Title 2, section 9, subsection 3, paragraph C to include a section regarding the State's progress in meeting the oil dependence reduction targets.

LD 554 An Act To Amend the Telecommunications Education Access Fund

PUBLIC 54

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CUSHING THIBODEAU	OTP-AM	H-63

This bill makes changes to provisions governing the Maine telecommunications education access fund (MTEAF). Discounts for schools and libraries for telecommunications access and advanced technology equipment are provided through both state and federal programs. The federal program is called the E-rate. The state program is the MTEAF. The bill modifies the MTEAF as follows.

1. It allows the fund to be used to provide services to public school administrative offices and noninstructional facilities. (The PUC temporarily approved the use of MTEAF for non-instructional school facilities for FY 11-12.) The federal E-rate allows funding for these facilities;
 2. It allows MTEAF to be used to provide discounts to qualified schools and libraries "in support" of certain listed telecommunications equipment and services (current law allows the discounts to be used "for" the listed equipment and services);
 3. It modifies the guidelines governing the allocation of the MTEAF: current law provides that the funds are to be used to ensure a "basic level of connectivity"; the bill removes "basic level" so the guideline would simply be to ensure connectivity;
 4. Allows the University of Maine System (UMS) to enter contracts, order services and take advantage of the E-rate discounts on behalf of schools and libraries in connection with the fund. Under current law, the State Library and the Department of Education (DOE) have this administrative authorization. (Under a 2009 agreement between the State Library, the DOE, the Chief Information Officer of the State and UMS, a coordinating body called the Networkmaine Council was created. Under the agreement UMS was assigned responsibility for operating the school and library network services.); and
3. Removes a provision of the current law that requires that at least 25% of the annual budget of the MTEAF be devoted to targeted innovative projects.

Committee Amendment "A" (H-63)

This amendment replaces the bill. This amendment removes from the law governing the telecommunications