

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

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

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education access fund a provision that requires that at least 25% of the annual budget of the fund be devoted to targeted innovative projects.

Enacted Law Summary

Public Law 2011, chapter 54 removes from the law governing the telecommunications education access fund a provision that requires that at least 25% of the annual budget of the fund be devoted to targeted innovative projects.

LD 600 An Act To Promote a Safe and Sustainable Environment by Extending the Portfolio Standard ONTP

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

This bill amends Maine's new renewable portfolio standard by extending the one percent annual increase for an additional 10 years. The annual increases are scheduled to end in 2017. This bill extends the annual one percent increase through 2027.

LD 620 Resolve, To Protect Maine Electricity Ratepayers Regarding the Installation of Smart Meters ONTP

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

This resolve imposes a one-year moratorium on the installation of smart electric meters. It requires an electric utility to remove a smart electric meter from a customer's premises at the request of the customer for a fee not exceeding \$30. It directs the Public Utilities Commission to study the safety of smart electric meters and report its findings to the Joint Standing Committee on Energy, Utilities and Technology.

During the session, the commission had a number of open dockets regarding smart meters. The commission issued an order regarding the removal of smart meters or opting out of smart meter installation. See Public Utilities Commission docket 2010-345.

LD 668 An Act To Improve Regional Transmission Organization Responsiveness ONTP

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

This bill requires that, beginning January 1, 2013, investor-owned transmission and distribution utilities be members of a regional transmission organization meeting specific organizational requirements, including compliance with laws governing public records and proceedings, using a public nomination process in selecting board members, guaranteeing consumer representation on its governing board and certifying that its rates and actions are just and reasonable to consumers.