

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 732 Resolve, Directing the Public Utilities Commission To Adopt Rules
Affecting Utility Deposits**

RESOLVE 32

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
THIBODEAU	OTP-AM	S-28

This bill provides that a public utility may not require an escrow or other initial start-up payment from a business customer that has an acceptable credit history with a previous public utility in the State.

Committee Amendment "A" (S-28)

This amendment replaces the bill. The amendment requires the Public Utilities Commission by rule to require a transmission and distribution utility to consider a business owner's prior credit history with another transmission and distribution utility when determining whether to require a deposit for service to a new business of that business owner as long as the business owner requests this consideration and provides permission for the other transmission and distribution utility to share the credit history information. The rules must require that the transmission and distribution utility consider the business owner's prior credit history with the other transmission and distribution utility in the same manner it would consider the prior credit history of a business owner located in its own service territory.

Enacted Law Summary

Resolve 2011, chapter 32 requires the Public Utilities Commission by rule to require a transmission and distribution utility to consider a business owner's prior credit history with another transmission and distribution utility when determining whether to require a deposit for service to a new business of that business owner as long as the business owner requests this consideration and provides permission for the other transmission and distribution utility to share the credit history information. The rules must require that the transmission and distribution utility consider the business owner's prior credit history with the other transmission and distribution utility in the same manner it would consider the prior credit history of a business owner located in its own service territory.

**LD 756 Resolve, To Examine Cyber Security and Privacy Issues Relating to
Smart Meters**

RESOLVE 82

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SIROCKI	OTP-AM MAJ OTP MIN	H-521

This bill requires the Public Utilities Commission to establish terms and conditions governing the installation of wireless smart meters. The terms and conditions must allow customers, at no cost, to opt out of having a wireless smart meter installed or to have any wireless smart meter that has been installed removed. Customers, at no cost, must be given the option of a wired smart meter.

Committee Amendment "A" (H-521)

This amendment is the majority report of the committee. It replaces the bill with a resolve directing the Public Utilities Commission to examine the current cyber security and privacy requirements of transmission and distribution utilities that may be applied to smart meters and to identify potential regulatory gaps. The commission is required to monitor federal efforts regarding cyber security and privacy issues with respect to smart meters and to

Joint Standing Committee on Energy, Utilities and Technology

report to the Joint Standing Committee on Energy, Utilities and Technology by January 15, 2012. The committee may submit a bill relating to smart meter cyber security and privacy to the Second Regular Session of the 125th Legislature.

Enacted Law Summary

Resolve 2011, chapter 82 directs the Public Utilities Commission to examine the current cyber security and privacy requirements of transmission and distribution utilities that may be applied to smart meters and to identify potential regulatory gaps. The commission is required to monitor federal efforts regarding cyber security and privacy issues with respect to smart meters and to report to the Joint Standing Committee on Energy, Utilities and Technology by January 15, 2012. The committee may submit a bill relating to smart meter cyber security and privacy to the Second Regular Session of the 125th Legislature.

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 761 An Act To Provide Rebates for Renewable Energy Technologies

**PUBLIC 314
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BERRY RECTOR	OTP-AM	H-455

This bill reinstates the solar and wind energy rebate program, which provided rebates for the purchase of certain solar and wind energy equipment, until June 30, 2015. The program had expired December 31, 2010.

Committee Amendment "A" (H-455)

This amendment allows for rebates for renewable energy technologies to be eligible for funding from the Voluntary Renewable Resource Fund rather than reinstating an assessment on electricity for the purpose of providing rebates for certain solar and wind technology, as proposed in the bill. It requires the Efficiency Maine Trust to adopt rules regarding the selection criteria and qualification criteria for the use of funds from the Voluntary Renewable Resource Fund. The amendment also adds an appropriations and allocations section.

Enacted Law Summary

Public Law 2011, chapter 314 adds rebates for renewable energy technologies as an eligible activity for funding from the Voluntary Renewable Resource Fund. It requires the Efficiency Maine Trust to adopt rules regarding the selection criteria and qualification criteria for the use of funds from the Voluntary Renewable Resource Fund.

Public Law 2011, chapter 314 was enacted as an emergency measure effective June 13, 2011.

LD 772 An Act To Modify the Auditing Requirements for Certain Small Water Utilities

PUBLIC 77

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
AYOTTE JACKSON	OTP-AM	H-93