

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
125<sup>TH</sup> 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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STATE OF MAINE  
125<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 LDs and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 125<sup>th</sup> 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 125<sup>th</sup> 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 1066**

**An Act To Increase Home Weatherization and Energy Independence**

**DIED IN  
CONCURRENCE**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BELIVEAU	ONTP MAJ OTP-AM MIN	

This bill establishes an assessment on #2 heating oil, kerosene and propane to fund weatherization and heating fuels efficiency programs. It provides a rebate for low-income households until the household participates in weatherization or heating fuels efficiency programs.

**Committee Amendment "A" (H-438)**

This amendment, which is the minority report of the committee, adds a safety valve to the assessment on heating fuels by suspending the assessment when the average price of the heating fuel, as determined by the Governor's Office of Energy Independence and Security, is equal to or greater than 90% of the highest average price of that heating fuel in the State. The assessment cannot be reinstated until the average price of the heating fuel in the State is equal to or less than 70% of the highest average price of the heating fuel in the State. The amendment also requires that each customer category is assigned funding from the Heating Fuels Efficiency and Weatherization Fund that is approximately equal to the assessment value that was collected from that customer category.

**LD 1077**

**An Act To Enhance Public Participation in Decisions Relating to the Large-scale Extraction and Transportation of Water**

**MAJORITY  
(ONTP) REPORT**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BURNS DR HILL	ONTP MAJ OTP MIN	

This bill amends the law enacted in 2009 governing agreements by consumer-owned water utilities that involve large-scale extraction or transportation of water.

Current law requires consumer-owned water utilities to: (1) hold a public meeting to present the terms of the agreement and hear public comments; (2) give notice of the public meeting to each customer, the PUC, the OPA and each municipality in which the water source is located and publish the notice in a paper with general circulation in the area; and (3) make the proposed agreement available for public inspection prior to the meeting. Current law applies to certain types of large-scale extraction and large-scale transportation of water beyond the boundaries of the municipality or township in which the water is naturally located. Current law excludes contracts with existing customer or another water utility; water transported for use in well drilling, construction, concrete mixing, swimming pool filling, servicing portable toilets, firefighting, hospital operations, aquaculture, agricultural applications or civil emergencies; water distilled as a by-product of a manufacturing process; or water transported from the a source that, before July 1, 1987, was used to supply water for bottling and sale and that is used exclusively for bottling and is sold in its pure form or as a carbonated or flavored beverage product.

This bill makes the following changes to current law: (1) expands the scope of the law to include water agreements by a municipality or the Maine Land Use Regulation Commission; (2) removes exceptions for contracts with an existing customer or contracts with a water utility; and (3) adds new voter-approval requirements for all such