

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.

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It increases the number of trustees from 3 to 5. It provides that prior to proposing any amendment to the charter to the Legislature, the trustees must present the amendment to the town council of the Town of Sanford for review and comment.

LD 1506 An Act To Remove Obstacles to the Use of Technological Advances for Heating in Multifamily Structures PUBLIC 300

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FITTS	OTP-AM	H-493

Under current law, electric space heating equipment may not be installed as the primary heating system in construction that is funded using public funds. This bill specifically exempts electric thermal storage space heating equipment from this prohibition.

Committee Amendment "A" (H-493)

This amendment defines "geothermal heat pump" and provides that geothermal heat pumps are not considered electric space heating equipment for the purposes of the laws governing electric heating systems in subsidized housing, thus allowing the pumps to be installed in multifamily residential structures funded by public funds.

Enacted Law Summary

Public Law 2011, chapter 300 defines "geothermal heat pump" and provides that geothermal heat pumps and electric thermal storage space heating equipment are not considered electric space heating equipment for the purposes of the laws governing electric heating systems in subsidized housing, thus allowing geothermal heat pumps and electric thermal storage space heating equipment to be installed in multifamily residential structures funded by public funds.

LD 1510 An Act Regarding Information Provided to Consumers by Competitive Electricity Providers PUBLIC 284

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FITTS	OTP-AM	H-398

This bill removes the requirement that a competitive electricity provider provide information to a customer at least once annually that enhances the consumer's ability to effectively make choices in a competitive electricity market. It requires the Public Utilities Commission to establish by rule standards for making this information available through any means considered appropriate.

Committee Amendment "A" (H-398)

This amendment changes the designation of the rules related to information provided to consumers by competitive electricity providers from major substantive rules to routine technical rules and removes the date by which the rules were to be adopted.

Enacted Law Summary

Public Law 2011, chapter 284 removes the requirement that a competitive electricity provider provide information to a customer at least once annually that enhances the consumer's ability to effectively make choices in a competitive electricity market. It requires the Public Utilities Commission to establish by rule standards for making this

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information available through any means considered appropriate. This law amends the designation of the rules related to information provided to consumers by competitive electricity providers from major substantive rules to routine technical rules and removes the date by which the rules were to be adopted.

LD 1516 An Act To Protect Consumer Information at the Efficiency Maine Trust

PUBLIC 343

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
THIBODEAU	OTP-AM	S-198 S-267 BARTLETT

This bill designates as confidential, for purposes of the freedom of access laws, those records retained by the Efficiency Maine Trust that contain information about a customer's energy usage or that contain personal information about a customer seeking financing through the trust.

Committee Amendment "A" (S-198)

This amendment clarifies the personal information that is considered confidential by the Efficiency Maine Trust and extends the confidentiality to include records of customers seeking participation in any program of the trust, rather than records of customers seeking financing through a program of the trust as proposed in the bill.

Senate Amendment "A" To Committee Amendment "A" (S-267)

This amendment clarifies that confidentiality applies to the records of customers who have participated in a program of the Efficiency Maine Trust as well as customers seeking to participate in any program of the trust.

Enacted Law Summary

Public Law, chapter 343 designates as confidential, for purposes of the freedom of access laws, those records retained by the Efficiency Maine Trust that contain information about a customer's energy usage or that contains the social security number, address, telephone number or email address of a customer who has participated or is seeking to participate in a program of the trust.

LD 1521 An Act To Amend the InforME Public Information Access Act

PUBLIC 321

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
THOMAS	OTP-AM	S-195

This bill amends the InforME Public Information Access Act to add definitions of "agency fees," "fee service," "portal fee" and "user" and amends definitions of "premium services" and "subscriber." The bill allows the InforME board to establish "portal fees" for electronic services, which is defined in current law to include all the services provided by InforME through electronic means, including access to information. The bill also allows InforME to assess fees on agencies. The bill changes InforME's fiscal year to coincide with the calendar year. It expands the confidentiality of InforME records to include not only records relating to the identity of subscribers (those who pay for services) but also of users. It exempts, however, public records held by data custodians.

Committee Amendment "A" (S-195)