

# 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***

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)**

## *Joint Standing Committee on Energy, Utilities and Technology*

This amendment modifies the bill by:

1. Adding a definition of "transaction" and modifying the definition of "portal fee" to mean a fee paid by a user for a transaction;
2. Establishing a cap on portal fees of \$6 plus 3% of the total charges for each transaction, with a provision allowing the InforME Board to establish a higher portal fee by major substantive rule; and
3. Clarifying the language in the bill regarding confidentiality of user information.

### **Enacted Law Summary**

Public Law 2011, chapter 321 amends the InforME Public Information Access Act to add definitions of "agency fees", "fee service," "portal fee", "transaction" and "user" and amends definitions of "premium services" and "subscriber." The law allows the InforME board to establish "portal fees" for electronic services but establishes a cap on portal fees of \$6 plus 3% of the total charges for each transaction; the InforME Board may establish a higher portal fee by major substantive rule. The law also allows InforME to assess fees on agencies. The law 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.

**LD 1527      An Act To Encourage the Creation of Jobs through Development of      ONTP**  
**Maine's Solar Industry**

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

This bill promotes development of Maine's solar industry. It requires the Maine Uniform Building and Energy Code to include standards for solar installations in new and existing buildings, and requires the Technical Building Codes and Standards Board to adopt a model municipal ordinance for solar permitting. The bill also creates a solar set-aside within Maine's existing renewable portfolio standard. The bill revives the solar and wind energy rebate program previously administered by the Efficiency Maine Trust.

**LD 1545      An Act To Authorize the Public Utilities Commission To Exercise      PUBLIC 110**  
**Jurisdiction over Private Natural Gas Pipelines To Ensure Safe      EMERGENCY**  
**Operation**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RAYE	OTP	

This bill authorizes the Public Utilities Commission to exercise safety regulations over any private natural gas pipeline that serves a single customer.

### **Enacted Law Summary**

Public Law 2011, chapter 110 authorizes the Public Utilities Commission to exercise safety regulations over any private natural gas pipeline that serves a single customer.