

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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STATE OF MAINE
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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

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 Maine's Solar Industry	ONTP
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<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 Jurisdiction over Private Natural Gas Pipelines To Ensure Safe Operation	PUBLIC 110 EMERGENCY
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<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.

Joint Standing Committee on Energy, Utilities and Technology

Public Law 2011, chapter 110 was enacted as an emergency measure effective May 19, 2011.

LD 1561 An Act To Create the Nickerson Lake Sewer District

**P & S 14
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SHERMAN	OTP-AM	S-199

This bill creates the Nickerson Lake Sewer District.

Committee Amendment "A" (S-199)

This amendment makes certain changes to the bill to make it consistent with the sanitary district laws and the laws governing all sewer districts. It also does the following:

1. Clarifies that the purpose of the district is to provide wastewater treatment services, including subsurface wastewater collection, treatment and disposal services;
2. Provides that, within the territory of the district and in areas outside the territory of the district located within the Town of Linneus or the Town of New Limerick, the district may exercise the powers specified under the Maine Revised Statutes, Title 38, section 1151 regarding locating its pipes and facilities and may also locate one or more septic fields;
3. Removes the requirement that certain trustees own property within the district; and
4. Adds an emergency preamble to the bill.

Enacted Law Summary

Private and Special Law 2011, chapter 14 creates the Nickerson Lake Sewer District.

Private and Special Law 2011, chapter 14 was enacted as an emergency measure effective June 9, 2011.

LD 1564 An Act Concerning Certain Privileges Transferred to GNE, LLC by Great Northern Paper, Inc.

INDEF PP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CLARK H THOMAS		

This bill, which was indefinitely postponed without reference to committee, retroactively excepts from the rights, privileges, immunities or franchises that Great Northern Paper, Inc. may sell or transfer pursuant to Private and Special Law 2001, chapter 45 the right to take or use water conveyed to Great Northern Paper, Inc. by Private and Special Law 1917, chapter 94.