

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

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

MEMBERS:

SEN. MICHAEL D. THIBODEAU, CHAIR
SEN. CHRISTOPHER W. RECTOR
SEN. PHILIP L. BARTLETT II

REP. STACEY ALLEN FITTS, CHAIR
REP. JAMES M. HAMPER
REP. DEAN A. CRAY
REP. LARRY C. DUNPHY
REP. AARON F. LIBBY
REP. JON HINCK
REP. ALEXANDER CORNELL DU HOUX
REP. ROBERTA B. BEAVERS
REP. MARK N. DION
REP. LOUIS J. LUCHINI

STAFF:

JEAN GUZZETTI, LEGISLATIVE ANALYST
JON CLARK, DEPUTY DIRECTOR
OFFICE OF POLICY AND LEGAL ANALYSIS
13 STATE HOUSE STATION
AUGUSTA, ME 04333
(207) 287-1670

STATE OF MAINE
125TH LEGISLATURE
FIRST REGULAR SESSION



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 1570

An Act To Reduce Energy Prices for Maine Consumers

PUBLIC 413

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
THIBODEAU	OTP-AM	S-272 S-310 THIBODEAU

This bill caps the percentage of supply sources for retail electricity sales that must come from new renewable capacity resources at 4%. It requires the Public Utilities Commission to set the price of the alternative compliance payment rate for meeting the new renewable capacity resource requirement at no more than 110% of the prior year's average market prices of renewable energy credits. It specifies that any long-term contract negotiated by the Public Utilities Commission for capacity resources, available energy associated with capacity resources or available renewable energy credits associated with capacity resources may not be greater than 90% of the market price of capacity resources, available energy associated with capacity resources or available renewable energy credits associated with capacity resources. It requires the Public Utilities Commission to obtain the approval of the Legislature, instead of providing notice to the joint standing committee of the Legislature having jurisdiction over utilities and energy matters, prior to requiring an investor-owned transmission and distribution utility to enter into a long-term contract for energy efficiency capacity resources.

Committee Amendment "A" (S-272)

This amendment is the majority report of the committee. It strikes the bill and replaces it. It provides a definition of "to refurbish" as it applies to new renewable capacity resources. It requires the Public Utilities Commission to conduct rulemaking to ensure that consumers will benefit from long-term contracts. It requires legislative approval for long-term contracts for energy efficiency capacity resources that result in a fee or an assessment on ratepayers. Finally, this amendment directs the Public Utilities Commission to conduct an in-depth analysis of the new renewable capacity resources portfolio requirements.

Senate Amendment "A" To Committee Amendment "A" (S-310)

Current law exempts the sale of electricity by a competitive electricity provider to a Pine Tree Development Zone business from the requirements of the portfolio standard established under the Maine Revised Statutes, Title 35-A, section 3210. Rather than the exemption being permitted upon request of a certified electricity provider, this amendment makes the exemption automatic and allows a qualified Pine Tree Development Zone business to request a waiver from the exemption. The amendment allows the Public Utilities Commission to adopt routine technical rules to implement the exemption.

Enacted Law Summary

Public Law 2011, chapter 413 provides a definition of "to refurbish" as it applies to new renewable capacity resources. It requires the Public Utilities Commission to conduct a rulemaking to ensure that consumers will benefit from long-term contracts. It requires legislative approval for long-term contracts for energy efficiency capacity resources that result in a fee or an assessment on ratepayers.

Sale of electricity by a competitive electricity provider to a Pine Tree Development Zone business is exempt from the requirements of the portfolio standard established under the Maine Revised Statutes, Title 35-A, section 3210 unless a qualified Pine Tree Development Zone business requests a waiver from the exemption. The Public Utilities Commission may adopt routine technical rules to implement the exemption.

Finally, this law directs the Public Utilities Commission to conduct an in-depth analysis of the new renewable

Joint Standing Committee on Energy, Utilities and Technology

capacity resources portfolio requirements. The commission must report to the committee by January 31, 2011. The committee may submit a bill related to the findings to the Second Regular Session of the 125th Legislature.

LD 1577 An Act To Amend the Winthrop Utilities District Charter

**P & S 12
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FLOOD ROSEN R	OTP	

This bill amends the charter of the Winthrop Utilities District to give it authority to impose liens for rates and assessments and issue foreclosure notices in accordance with the laws governing sanitary districts.

Enacted Law Summary

Private and Special Law 2011, chapter 12 amends the charter of the Winthrop Utilities District to give it authority to impose liens for rates and assessments and issue foreclosure notices in accordance with the laws governing sanitary districts.

Private and Special Law 2011, chapter 12 was enacted as an emergency measure effective June 2, 2011.