

MAINE STATE LEGISLATURE

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STATE OF MAINE
125TH LEGISLATURE
SECOND REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed

**JOINT STANDING COMMITTEE ON ENERGY, UTILITIES
AND TECHNOLOGY**

June 2012

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STATE OF MAINE

125TH 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 Second 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.

<i>CARRIED OVER</i>	<i>carried over to a subsequent session of the Legislature</i>
<i>CON RES XXX</i>	<i>chapter # of constitutional resolution passed by both houses</i>
<i>CONF CMTE UNABLE TO AGREE</i>	<i>Committee of Conference unable to agree; legislation died</i>
<i>DIED BETWEEN HOUSES</i>	<i>House & Senate disagreed; legislation died</i>
<i>DIED IN CONCURRENCE</i>	<i>defeated in each house, but on different motions; legislation died</i>
<i>DIED ON ADJOURNMENT</i>	<i>action incomplete when session ended; legislation died</i>
<i>EMERGENCY</i>	<i>enacted law takes effect sooner than 90 days after session adjournment</i>
<i>FAILED, EMERGENCY ENACTMENT or FINAL PASSAGE</i>	<i>emergency failed to receive required 2/3 vote</i>
<i>FAILED, ENACTMENT or FINAL PASSAGE</i>	<i>failed to receive final majority vote</i>
<i>FAILED, MANDATE ENACTMENT</i>	<i>legislation proposing local mandate failed required 2/3 vote</i>
<i>HELD BY GOVERNOR</i>	<i>Governor has not signed; final disposition to be determined at subsequent session</i>
<i>LEAVE TO WITHDRAW</i>	<i>sponsor's request to withdraw legislation granted</i>
<i>NOT PROPERLY BEFORE THE BODY</i>	<i>ruled out of order by the presiding officer; legislation died</i>
<i>INDEF PP</i>	<i>indefinitely postponed; legislation died</i>
<i>ONTP, ACCEPTED, MAJORITY, MINORITY or REPORT X</i> ...	<i>ought-not-to-pass report accepted; legislation died</i>
<i>P&S XXX</i>	<i>chapter # of enacted private & special law</i>
<i>PUBLIC XXX</i>	<i>chapter # of enacted public Law</i>
<i>RESOLVE XXX</i>	<i>chapter # of finally passed resolve</i>
<i>VETO SUSTAINED</i>	<i>Legislature failed to override Governor's veto</i>

The effective date for non-emergency legislation enacted in the Second Regular Session of the 125th Legislature is Thursday, August 30, 2012. 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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- 5. Clarifies that landlord access to payment information related to sewer service is governed by Title 38, section 1252, subsection 11;
- 6. Requires the district to coordinate municipal planning and sewer extension planning in accordance with Title 38, section 1252, subsection 9; and
- 7. Strikes those sections of the bill that deal with increases in the debt obligation limit and sinking fund.

Enacted Law Summary

Private and Special Law 2011, chapter 24 modifies the charter of the Ogunquit Sewer District to bring it into compliance with the Maine Revised Statutes, Title 38, chapter 12 and affords the sewer district some powers granted to sanitary districts under the Maine Revised Statutes.

LD 1622 Resolve, Regarding the Laws Governing Electric Industry Restructuring RESOLVE 154

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SHERMAN	OTP-AM	S-472

This bill amends the laws governing electric industry restructuring by providing that affiliated interests of transmission and distribution utilities, as well as transmission and distribution utilities, are not permitted to own, have a financial interest in or otherwise control generation or generation-related assets located in Maine or used to provide electric service in Maine unless permitted by the Public Utilities Commission.

Committee Amendment "A" (S-472)

This amendment changes the bill from an act to a resolve and directs the Public Utilities Commission to submit a report summarizing its findings and decision related to Docket No. 2011-170 pertaining to the request by Bangor Hydroelectric Company for exemption and for reorganization approvals to the joint standing committee of the Legislature having jurisdiction over energy, utilities and technology matters by December 15, 2012.

Enacted Law Summary

Resolve 2011, chapter 154 directs the Public Utilities Commission to submit a report summarizing its findings and decision related to Docket No. 2011-170 pertaining to the request by Bangor Hydroelectric Company for exemption and for reorganization approvals to the joint standing committee of the Legislature having jurisdiction over energy, utilities and technology matters by December 15, 2012.

LD 1644 An Act To Expand the Availability of Natural Gas to Maine Residents PUBLIC 586 EMERGENCY

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KATZ	OTP-AM MAJ OTP-AM MIN	S-461

This bill authorizes the Finance Authority of Maine to issue bonds for energy distribution system projects that expand the supply of natural gas in the State. The authority is authorized to issue a certificate of approval to an

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applicant for a natural gas project only if the applicant contributes at least 25% of the expected cost of the project. This bill also establishes in statute minimum and maximum capital reserve requirements for bonds that are issued for natural gas projects.

Committee Amendment "A" (S-461)

This amendment is the majority report. This amendment strikes the bill. It expands the definition of "energy distribution system project" for the purpose of receiving financing assistance from the Finance Authority of Maine to include systems that distribute or transmit oil, biofuels, propane, compressed natural gas or liquefied natural gas. It requires energy distribution system projects regulated by the Public Utilities Commission to provide at least a 25% equity contribution to the cost of the project in order to receive a certificate of approval from the Finance Authority of Maine. This amendment decreases the total debt obligation limit for securities to fund energy distribution system projects from \$330,000,000 to \$180,000,000 and removes the Finance Authority of Maine's authority to set limits for these types of securities annually. Finally, this amendment prohibits the Finance Authority of Maine from issuing revenue obligation securities for energy distribution system projects after January 1, 2018, unless a certificate of approval was issued before that date.

Committee Amendment "B" (S-462)

This amendment is the minority report. This amendment strikes and replaces the bill. It requires energy distribution system projects regulated by the Public Utilities Commission to provide at least a 25% equity contribution to the cost of the project in order to receive a certificate of approval from the Finance Authority of Maine. This amendment decreases the total debt obligation limit for securities to fund energy distribution system projects from \$330,000,000 to \$180,000,000 and removes the Finance Authority of Maine's authority to set limits for these types of securities annually. Finally, this amendment prohibits the Finance Authority of Maine from issuing revenue obligation securities for energy distribution system projects after January 1, 2018, unless a certificate of approval was issued before that date.

Enacted Law Summary

Public Law 2011, chapter 586 expands the definition of "energy distribution system project" for the purpose of receiving financing assistance from the Finance Authority of Maine to include systems that distribute or transmit oil, biofuels, propane, compressed natural gas or liquefied natural gas. It requires energy distribution system projects regulated by the Public Utilities Commission to provide at least a 25% equity contribution to the cost of the project in order to receive a certificate of approval from the Finance Authority of Maine. It decreases the total debt obligation limit for securities to fund energy distribution system projects from \$330,000,000 to \$180,000,000 and removes the Finance Authority of Maine's authority to set limits for these types of securities annually. Finally, it prohibits the Finance Authority of Maine from issuing revenue obligation securities for energy distribution system projects after January 1, 2018, unless a certificate of approval was issued before that date.

Public Law 2011, chapter 586 was enacted as an emergency measure effective March 29, 2012.

LD 1676 An Act To Increase Energy Options

ONTP

Sponsor(s)

RAYE

Committee Report

ONTP

Amendments Adopted

This bill grants to communities not served by consumer-owned utilities the opportunity to manage standard-offer electricity supply for the communities in the manner that consumer-owned utilities may manage standard-offer service for the communities they serve.