

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
125<sup>TH</sup> 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

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 Second 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.

<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 &amp; 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&amp;S XXX</i> .....	<i>chapter # of enacted private &amp; 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 125<sup>th</sup> 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.

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

**Committee Amendment "A" (H-809)**

This amendment is the minority report of the committee. This amendment replaces the bill and changes the title. This amendment provides that, upon a determination by the Public Utilities Commission that a biomass facility has not been operating for 90 days or more due to economic hardship, the biomass facility is temporarily eligible as a new renewable capacity resource and for renewable energy credits for a period of 3 years. If during that 3 year period the biomass facility no longer needs the additional revenue from the renewable energy credits, the value of the renewable energy credits must be transferred to the Efficiency Maine Trust for deposit into the conservation program fund established by the Efficiency Maine Trust. The Public Utilities Commission may adopt routine technical rules to implement these provisions.

The amendment further requires the Department of Economic and Community Development to convene a task force to identify ways to improve the economic stability of biomass facilities in this State. The department is required to report to the joint standing committee of the Legislature having jurisdiction over energy and utility matters by March 1, 2013.

This amendment was adopted in the Senate but not in the House.

**Senate Amendment "A" To Committee Amendment "A" (S-539)**

This amendment amends Committee Amendment "A" to remove the requirement that a biomass generator that is unable to operate due to economic hardship must cease operating for at least 90 days before becoming eligible to be counted towards a competitive electricity provider's new renewable capacity resource requirement.

This amendment was adopted in the Senate but not in the House.

**LD 1761 An Act To Improve and Ensure Adequate Funding for E-9-1-1 Services**

**VETO  
SUSTAINED**

Sponsor(s)

FITTS

Committee Report

OTP-AM

Amendments Adopted

H-826

This bill takes initial steps to update the State's emergency services communications laws as the State and the nation prepare to migrate to the next evolutionary step in 9-1-1 service, increases the E-9-1-1 monthly surcharge by 5¢ and changes the E-9-1-1 surcharge remittance from monthly to quarterly for local exchange telephone utilities, cellular or wireless providers and interconnected voice over Internet protocol providers whose average monthly surcharge remittance payment for the prior calendar year is less than \$5,000.

**Committee Amendment "A" (H-826)**

This amendment increases the E-9-1-1 monthly surcharge, which is currently 45¢, to 65¢ for 18 months and then decreases the surcharge to 40¢ thereafter. The amendment also adds an appropriations and allocations section.