

# 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**

required to pay assessments under Title 35-A, sections 116, 7104 and 7104-B to pay such assessments and if so the reasons why they should be included and how they may appropriately and fairly be included. The commission is directed to submit a report of its findings and recommendations to the joint standing committee of the Legislature having jurisdiction over utilities and technology matters by January 15, 2013. The joint standing committee may report out a bill related to the subject of the report to the First Regular Session of the 126th Legislature; and

4. Directs the commission to review the provisions of Title 35-A and the commission's implementing rules relating to or affecting telecommunications to determine what, if any, further changes to law are required to clarify or bring into effect the regulatory changes made by this law. The commission is specifically directed to examine whether the expansion of the application of Title 35-A, section 711 creates any regulatory or other issues that should be addressed. The commission is authorized to submit a bill to the First Regular Session of the 126th Legislature proposing any recommended changes to law to clarify, adjust or bring into effect the regulatory changes made by this law.

**LD 1789**      **Resolve, Regarding Legislative Review of Portions of Chapter 316:  
Long-Term Contracting and Resource Adequacy, a Major Substantive  
Rule of the Public Utilities Commission**      **RESOLVE 138  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	H-790

This resolve provides for legislative review of portions of Chapter 316: Long-Term Contracting and Resource Adequacy, a major substantive rule of the Public Utilities Commission.

**Committee Amendment "A" (H-790)**

This amendment conditionally authorizes the adoption of Chapter 316: Long-Term Contracting and Resource Adequacy, a major substantive rule of the Public Utilities Commission. The commission is required to incorporate the changes made by Public Law 2011, chapter 413, sections 2 and 3 to the process by which energy efficiency long-term contracts are approved and executed.

**Enacted Law Summary**

Resolve 2011, chapter 138 conditionally authorizes the adoption of Chapter 316: Long-Term Contracting and Resource Adequacy, a major substantive rule of the Public Utilities Commission. The commission is required to incorporate the changes made by Public Law 2011, chapter 413, sections 2 and 3 to the process by which energy efficiency long-term contracts are approved and executed.

Resolve 2011, chapter 138 was finally passed as an emergency measure effective March 29, 2012.

**LD 1790**      **Resolve, Regarding Legislative Review of Portions of Chapter 895:  
Underground Facility Damage Prevention Requirements, a Major  
Substantive Rule of the Public Utilities Commission**      **ONTP**

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