

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
SECOND 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 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.

Joint Standing Committee on Energy, Utilities and Technology

LD 1834 An Act To Amend the Boothbay Region Water District Charter

**P & S 25
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MACDONALD JOHNSON	OTP-AM	H-828

This bill amends the Boothbay Region Water District charter by increasing the number of trustees from 5 to 7, including in the district's territory the Town of Southport and providing for how the 2 new trustees from the Town of Southport will be elected. The bill also requires the Boothbay Region Water District to acquire the assets and debt of the Southport water system. These provisions are subject to referendum approval.

Committee Amendment "A" (H-828)

This amendment removes, subject to referendum approval, the prohibition on municipal officers of the towns within the Boothbay Region Water District serving as trustees of the district.

Enacted Law Summary

Private and Special Law 2011, chapter 25 amends the Boothbay Region Water District charter by increasing the number of trustees from 5 to 7, including in the district's territory the Town of Southport and providing for how the 2 new trustees from the Town of Southport will be elected. It also requires the Boothbay Region Water District to acquire the assets and debt of the Southport water system. These provisions are subject to referendum approval.

Private and Special Law 2011, chapter 25 also removes, subject to separate referendum approval, the current prohibition on municipal officers of the towns within the Boothbay Region Water District serving as trustees of the district.

Private and Special Law 2011, chapter 25 was enacted as an emergency measure effective April 6, 2012, subject to referendum approvals.

LD 1842 An Act To Amend the Charter of the Bingham Water District and To Direct That Certain Issues Be Studied

**P & S 26
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUNPHY	OTP-AM	H-879

This bill amends the charter of the Bingham Water District by amending the procedure by which the board of trustees receives compensation, changing the vote to amend the bylaws from a 2/3 vote to a simple majority and authorizing the board of trustees to adopt a resolution that provides that the minimum charge for water service continues to apply to property that is voluntarily disconnected from the system.

Committee Amendment "A" (H-879)

This amendment removes a provision of the bill that authorizes the board of trustees of the Bingham Water District to adopt a resolution that provides that the minimum charge for water service continues to apply to property that is voluntarily disconnected from the system.

Joint Standing Committee on Energy, Utilities and Technology

This amendment directs the Public Utilities Commission to convene a stakeholder group to examine issues relating to the loss of customers by water utilities and the effect this has on the utilities' ability to pay for infrastructure and the effect on remaining customers. The commission is directed to invite participation from a broad range of interested entities. The stakeholder group is directed to examine whether there are appropriate means by which contributions to system costs may be collected from customers who discontinue service or from property owners whose property has been served or may be served by the system and if so how the collection might be done in a manner that is just and reasonable. The commission must report the findings and recommendations of the stakeholder group, together with any proposals for changes to law to implement the recommendations, to the joint standing committee of the Legislature having jurisdiction over energy, utilities and technology matters by February 15, 2013. The committee is authorized to report out a bill on the subject to the First Regular Session of the 126th Legislature.

Enacted Law Summary

Private and Special Law 2012, chapter 26 amends the charter of the Bingham Water District by amending the procedure by which the board of trustees receives compensation and changing the vote to amend the bylaws from a 2/3 vote to a simple majority.

It also directs the Public Utilities Commission to convene a stakeholder group to examine issues relating to the loss of customers by water utilities and the effect this has on the utilities' ability to pay for infrastructure and the effect on remaining customers. The commission is directed to invite participation from a broad range of interested entities. The stakeholder group is directed to examine whether there are appropriate means by which contributions to system costs may be collected from customers who discontinue service or from property owners whose property has been served or may be served by the system and if so how the collection might be done in a manner that is just and reasonable. The commission must report the findings and recommendations of the stakeholder group, together with any proposals for changes to law to implement the recommendations, to the joint standing committee of the Legislature having jurisdiction over energy, utilities and technology matters by February 15, 2013. The committee is authorized to report out a bill on the subject to the First Regular Session of the 126th Legislature.

Private and Special Law 2012, chapter 26 was enacted as an emergency measure effective April 12, 2012.

LD 1863 An Act To Lower the Price of Electricity for Maine Consumers

**DIED BETWEEN
HOUSES**

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

This bill removes the 100-megawatt limits for qualifying as a renewable resource or renewable capacity resource for purposes of meeting the State's Class 1 and Class 2 portfolio requirements.

The bill adds new language to the long-term contracting provisions of Title 35-A to provide that the "primary consideration" for the contracts must be anticipated lower prices for ratepayers over the life of the contract. It also resolves a non-substantive conflict in law. The bill modifies the priority listing of resources for long-term contracting to remove preferences for new renewable resources over other capacity resources and to remove a preference for capacity resources that enhance reliability of the grid with no net emission of greenhouse gasses over those that do increase net emissions. Finally, it sets certain limits on long-term contracts: they may not in total encompass more than 25% of total annual statewide electricity usage; they may not require non-renewable resources to purchase CO2 allowances under the regional greenhouse gas in initiative; they may not require renewable resources to purchase renewable energy credits; and they must provide that contracted renewable resources