

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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alternative energy resources.

7. It authorizes transmission and distribution utilities to develop and implement pilot programs to measure the effectiveness of electric heat pumps and electric thermal storage units. The pilot programs are subject to review and approval by the Public Utilities Commission. Each transmission and distribution utility may provide up to 500 heating units within its service territory. It also directs the Efficiency Maine Trust to report to the joint standing committee of the Legislature having jurisdiction over energy matters by March 31, 2013, on its findings and recommendations relating to efficient heating options for residential and small business consumers.

8. It requires the Efficiency Maine Trust to ensure its natural gas conservation programs benefit the consumers served by the gas utilities assessed under the natural gas conservation programs. It also directs the Governor's Office of Energy Independence and Security or its successor to assess the trust's effectiveness in delivering these programs.

LD 1872 An Act To Change the Name of the Governor's Office of Energy Independence and Security ONTP

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

This bill changes the name of the Governor's Office of Energy Independence and Security to the Governor's Energy Office. The bill also fixes cross-references to reflect the name change.

The changes proposed by this bill were also proposed, along with changes regarding funding for the office, in LD 1903, An Act To Make Additional Supplemental Appropriations and Allocations and To Change Certain Provisions of the Law for the Fiscal Years Ending June 30, 2012, and June 30, 2013. The Energy, Utilities and Technology Committee voted ONTP on this bill and sent a letter to the Appropriations and Financial Affairs Committee recommending that in LD 1903 the name of the office be changed as proposed. The committee also recommended that the initial funding source for the office should be federal funds, including funds of the State Energy Program, which currently support the office; to the extent these are inadequate to fund the office, the office should be able to receive funds from Efficiency Maine Trust (EMT), but only to the extent activities of the office reasonably relate to the purposes of EMT; any additional funding needs of the office should be paid for from the General Fund or other available resources.

See LD 1903.

LD 1875 An Act To Provide Transparency in Electricity Pricing for Maine Ratepayers PUBLIC 590

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FITTS	OTP-AM	H-827

This bill requires the Public Utilities Commission and the Public Advocate to submit their budget recommendations as part of the unified current services budget legislation using a zero-based budgeting process; requires the Public Utilities Commission and the Public Advocate to post a "detailed explanation" of the total impact to ratepayers in dollars per year of all components of rates and price, including supply and transmission and distribution charges and all additional state and federal charges and assessments; and requires transmission and distribution utilities to

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include a line-item on ratepayer statements that provides a total of all additional state and federal charges and assessments.

Committee Amendment "A" (H-827)

This amendment provides that the Public Utilities Commission and the Office of the Public Advocate must develop their budgets using a zero-based budgeting process or other process or method directed by the State Budget Officer. It also removes from the bill the provisions relating to notices of state and federal charges and assessments and replaces it with a requirement that the Public Utilities Commission develop information useful to electricity ratepayers regarding the costs and effects of state policies on electricity ratepayers. The commission and the Office of the Public Advocate must post the information on their publicly accessible websites. The commission is also directed to examine means by which transmission and distribution utilities may inform customers of the information developed. The commission is directed to report on its actions, including any 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 relating to the commission's report to the First Regular Session of the 126th Legislature.

Enacted Law Summary

Public Law 2011, chapter 590 provides that the Public Utilities Commission and the Office of the Public Advocate must develop their budgets using a zero-based budgeting process or other process or method directed by the State Budget Officer. It requires that the Public Utilities Commission develop information useful to electricity ratepayers regarding the costs and effects of state policies on electricity ratepayers. The commission and the Office of the Public Advocate must post the information on their publicly accessible websites. The commission is also directed to examine means by which transmission and distribution utilities may inform customers of the information developed. The commission is directed to report on its actions, including any 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 relating to the commission's report to the First Regular Session of the 126th Legislature.

LD 1883 An Act To Clarify the Regulation of Private Natural Gas Pipelines

PUBLIC 592

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RAYE	OTP-AM	S-479

This bill:

1. Specifies that only private natural gas pipelines whose owners and operators are not otherwise regulated by the Public Utilities Commission as a utility are private natural gas pipelines, and specifies that the term "customer" includes the affiliate of a customer, for the purposes of the laws governing such pipelines;
2. Provides that a private natural gas pipeline that delivers natural gas to its affiliate who then liquefies or compresses the natural gas for sale or distribution to others by means other than by a pipeline is not, as a result of the delivery, considered a public utility; and
3. Provides that the owner or operator of an affiliate of a private natural gas pipeline that receives deliveries of natural gas that it liquefies or compresses for sale or distribution to others by means other than by a pipeline is not considered a public utility if the owner or operator of the affiliate is not otherwise regulated by the commission as a public utility.