

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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STAFF:

JEAN GUZZETTI, LEGISLATIVE ANALYST
JON CLARK, DEPUTY DIRECTOR
OFFICE OF POLICY AND LEGAL ANALYSIS
13 STATE HOUSE STATION
AUGUSTA, ME 04333
(207) 287-1670

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.

Joint Standing Committee on Energy, Utilities and Technology

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.

Joint Standing Committee on Energy, Utilities and Technology

Committee Amendment "A" (S-479)

This amendment clarifies that the Public Utilities Commission has safety jurisdiction over facilities that are used to liquefy or compress natural gas for sale or distribution to others by means other than a pipeline and that are owned or operated by an affiliate of the owner of a private natural gas pipeline.

Enacted Law Summary

Public Law 2011, chapter 592:

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;
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; and
4. Provides that Public Utilities Commission has safety jurisdiction over facilities that are used to liquefy or compress natural gas for sale or distribution to others by means other than a pipeline and that are owned or operated by an affiliate of the owner of a private natural gas pipeline.

LD 1901 An Act To Amend the Charter of the Lewiston-Auburn Water Pollution Control Authority

P & S 27

Sponsor(s)

BEAULIEU

Committee Report

OTP

Amendments Adopted

This bill amends the charter of the Lewiston-Auburn Water Pollution Control Authority to permit the acting City Administrator of the City of Lewiston or acting City Manager of the City of Auburn or those officials' designees to serve on the board of trustees of the authority when the office of City Administrator or City Manager is vacant.

Enacted Law Summary

Private and Special Law 2011, chapter 27 amends the charter of the Lewiston-Auburn Water Pollution Control Authority to permit the acting City Administrator of the City of Lewiston or acting City Manager of the City of Auburn or those officials' designees to serve on the board of trustees of the authority when the office of City Administrator or City Manager is vacant.