

MAINE STATE LEGISLATURE

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R.O.S.

DATE: 3.24.04

(Filing No. S- 446

UTILITIES AND ENERGY

Reported by:

MAJORITY

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STATE OF MAINE
SENATE
121ST LEGISLATURE
SECOND SPECIAL SESSION

COMMITTEE AMENDMENT "A" to S.P. 624, L.D. 1692, Bill, "An Act To Enhance Pine Tree Development Zones"

Amend the bill by striking out everything after the enacting clause and before the summary and inserting in its place the following:

Sec. 1. 30-A MRSA §5248, as enacted by PL 2003, c. 451, Pt. NNN, §2, is amended to read:

§5248. Procedure

1. Notice and hearing. Before designating a Pine Tree Development Zone or adopting a development plan, the legislative body municipal officers of each applicant unit of local government or the ~~legislative-body's~~ municipal officers' designee must hold at least one public hearing. Notice of the hearing must be published at least 10 days before the hearing in a newspaper of general circulation ~~within-the-unit-of~~ within the ~~area of the State in which the~~ area of the State in which the local government is located.

2. Vote of unit of local government legislative body. Each applicant unit of local government must designate that portion of the Pine Tree Development Zone contained within its boundaries and take all actions required to satisfy the requirements of section 5247, subsection 2 by majority vote of its municipal officers or legislative body.

3. Effective date. The establishment of a Pine Tree Development Zone is effective upon designation by the commissioner.

COMMITTEE AMENDMENT

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2 **4. Administration of zone.** The participating units of
3 local government may create an contract or otherwise arrange with
4 a public or private organization, ~~designate--an--existing~~
5 ~~department--or--agency--or--enter--into--a--contractual--arrangement--with~~
6 a--private--entity including a regional council as described in
7 section 2302, to administer activities authorized under this
8 subchapter. The organization may act as the lead entity for the
9 purpose of applying for and administering the Pine Tree
10 Development Zone.

12 **5. Amendments.** ~~A--participating--unit--of--local--government~~
13 ~~may--amend--the--designation--of--that--portion--of~~ The designation,
14 size, location, number and configuration of the parcels in a Pine
15 Tree Development Zone ~~contained--within--its--boundaries--or--an~~
16 ~~adopted or the terms of a development plan only after meeting the~~
17 ~~requirements--of--this--section--for--designation--of--a--Pine--Tree~~
18 ~~Development--Zone--or--adoption--of--a--development--plan--and--with--the~~
19 ~~concurrence--of~~ may be amended by an affirmative vote of all other
20 the participating units of local government as evidenced by a
21 majority vote of the municipal officers or legislative body of
22 each unit of local government. ~~A--participating--unit--of--local~~
23 ~~government--may--not--amend--the--designation--of--a--Pine--Tree~~
24 ~~Development--Zone--if--the--amendment--would~~ An amendment may not
25 result in the zone's being out of compliance with any of the
26 requirements in section 5247.

28 **Sec. 2. 35-A MRSA §3210-A** is enacted to read:

30 **§3210-A. Electric utility and conservation benefits**

32 **1. Discount rates.** Transmission and distribution utilities
33 may offer discounted rates to qualified Pine Tree Development
34 Zone businesses established under Title 30-A. If a transmission
35 and distribution utility requires approval prior to offering any
36 such rate, the transmission and distribution utility shall apply
37 to the commission in accordance with applicable provisions of
38 this Title, and the commission may approve the rate if it finds
39 it to be in accord with applicable requirements of this Title,
40 except that the commission may take into account the overall
41 benefits to ratepayers resulting from state efforts to promote
42 economic development within Pine Tree Development Zones.

44 **2. Line extensions.** When approving or authorizing line
45 extension terms and conditions for qualified Pine Tree
46 Development Zone businesses established under Title 30-A, the
47 commission may take into account the overall benefits to
48 ratepayers resulting from state efforts to promote economic
49 development within Pine Tree Development Zones established
50 pursuant to Title 30-A.

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2 3. Conservation programs. In designing and implementing
3 conservation programs pursuant to section 3211-A, the commission
4 may make available to qualified Pine Tree Development Zone
5 businesses established under Title 30-A special programs of
6 enhanced value to aid state efforts to promote economic
7 development within Pine Tree Development Zones. A program made
8 available pursuant to this subsection must be cost-effective as
9 defined by the commission by rule or order pursuant to section
10 3211-A.

12 4. Electricity sales. Notwithstanding section 3210, the
13 sale of electricity by a competitive electricity provider to a
14 qualified Pine Tree Development Zone business established under
15 Title 30-A is exempt from the requirements of that section and,
16 at the request of the competitive electricity provider, sales to
17 qualified Pine Tree Development Zone businesses must be excluded
18 from any calculation by the commission to determine compliance
19 with that section.

20 5. Repeal. This section is repealed December 31, 2009.'

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SUMMARY

28 This amendment, which is the majority report of the Joint
29 Standing Committee on Utilities and Energy, replaces the bill.

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31 The amendment changes the procedures relating to the
32 designation and amendment of Pine Tree Development Zones and
33 associated development plans by local units of government to
34 provide that municipal officers may act on behalf of each local
35 unit of government and that a local unit of government may
36 arrange with a public or private organization to administer the
37 local Pine Tree Development Zone activities and to act as the
38 lead administrative entity.

40

41 The amendment also adds provisions that authorize
42 transmission and distribution utilities to offer discounted rates
43 to qualified Pine Tree Development Zone businesses; authorize the
44 Public Utilities Commission to take into account the overall
45 benefits to ratepayers resulting from state efforts to promote
46 economic development within Pine Tree Development Zones when
47 approving discount rates, line extension terms and conditions or
48 special conservation program benefits for qualified Pine Tree
Development Zone businesses; and exempt sales of electricity to
qualified Pine Tree Development Zone businesses from certain

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renewable portfolio requirements. These provisions are repealed
on December 31, 2009.

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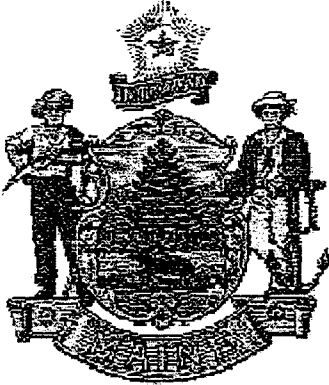
FISCAL NOTE REQUIRED
(See attached)

Approved: 03/11/04 *MAC*

**121st Maine Legislature
Office of Fiscal and Program Review**

LD 1692

An Act To Enhance Pine Tree Development Zones



LR 2622(02)

Fiscal Note for Bill as Amended by Committee Amendment "A"

Committee: Utilities and Energy

Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - Other Special Revenue Funds

Fiscal Detail and Notes

Additional costs to the Public Utilities Commission regarding utility rate reduction proceedings can be absorbed by the commission utilizing existing budgeted resources.