

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND TWENTY-FIRST LEGISLATURE

FIRST SPECIAL SESSION
August 21, 2003 to August 22, 2003

The General Effective Date For
First Special Session
Non-Emergency Laws Is
November 22, 2003

SECOND REGULAR SESSION
January 7, 2004 to January 30, 2004

The General Effective Date For
Second Regular Session
Non-Emergency Laws Is
April 30, 2004

SECOND SPECIAL SESSION
February 3, 2004 to April 30, 2004

The General Effective Date For
Second Special Session
Non-Emergency Laws Is
July 30, 2004

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Penmor Lithographers
Lewiston, Maine
2004

site, any restoration work on the site and the current condition of the site;

(7) A statement describing why the project can not be located completely in upland areas and any alternatives that exist for the project that would either avoid or minimize the amount of proposed freshwater wetland alteration; and

(8) A plan for compensating for lost functions and values of the freshwater wetland when required by, and in accordance with, rules adopted by the department; and

(9) Any other information determined by the department to be necessary to meet the requirements of section 480-D and rules adopted by the department.

See title page for effective date.

CHAPTER 555

S.P. 235 - L.D. 671

An Act To Facilitate the Development of Cost-effective Distributed Electricity Generation in the State

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 35-A MRSA §3210-A is enacted to read:

§3210-A. Small generator aggregation

1. Standard-offer service provider purchase requirement. In accordance with rules adopted pursuant to this section, the commission, at the request of the owner or operator of a generator with a capacity of 5 megawatts or less, shall:

A. If the generator is located in an area of this State within the New England independent system operator control area, require a standard-offer service provider that serves an area of this State within the New England independent system operator control area to purchase the output of that generator at applicable market clearing prices or at such other prices determined by the commission to be financially neutral to the standard-offer service provider; and

B. If the generator is located in an area of this State in which the retail market is administered by the independent system administrator for northern Maine and the commission finds that

the market design will accommodate purchases in a manner that is financially neutral to the standard-offer service provider, require a standard-offer service provider that serves that area of the State, or a portion of that area, to purchase the output of that generator at prices determined by the commission to be financially neutral to the standard-offer service provider.

The requirements of this subsection apply only if they can be accomplished in a manner that is financially neutral to standard-offer service providers.

2. Transmission and distribution utility administration. Transmission and distribution utilities shall administer the purchase and sale of electricity required under this section. Administrative costs incurred by a transmission and distribution utility under this subsection must be paid, in a manner established by the commission, by the generators of the electricity the purchase and sale of which the utility administers.

3. Rules. The commission shall adopt rules to implement this section, including, but not limited to, rules identifying how the commission assigns purchasing obligations to particular standard-offer service providers and the timing and manner of such obligations. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

See title page for effective date.

CHAPTER 556

H.P. 1344 - L.D. 1821

An Act To Increase the Amount of Restitution Allowed for State and Municipal Fire Service

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 12 MRSA §9321, sub-§6, ¶¶A and B, as enacted by PL 1991, c. 591, Pt. E, §10, are amended to read:

A. The monetary award for restitution to a municipality may not exceed ~~\$2,000~~ \$25,000; and

B. The total combined monetary award for restitution to municipalities and State Government may not exceed ~~\$10,000~~ \$125,000.

See title page for effective date.