

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-SIXTH LEGISLATURE

FIRST REGULAR SESSION
December 5, 2012 to July 10, 2013

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
OCTOBER 9, 2013

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

Augusta, Maine
2013

CHAPTER 377
S.P. 612 - L.D. 1571

**An Act To Prevent the Double
Funding of Certain MaineCare
Costs**

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, this legislation repeals Public Law 2013, chapter 248, which contains appropriations that are duplicated in Public Law 2013, chapter 368; and

Whereas, it is imperative to eliminate these duplicative appropriations in order to ensure a balanced budget; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. PL 2013, c. 248 is repealed.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

Effective June 28, 2013.

CHAPTER 378
H.P. 1053 - L.D. 1472

**An Act To Provide for
Economic Development with
Offshore Wind Power**

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

Sec. 1. 10 MRSA §963-A, sub-§10, ¶S, as amended by PL 2009, c. 372, Pt. D, §2, is further amended to read:

S. Any transmission facilities project; ~~and~~

Sec. 2. 10 MRSA §963-A, sub-§10, ¶T, as enacted by PL 2009, c. 372, Pt. D, §3, is amended to read:

T. An Efficiency Maine project; ~~and~~

Sec. 3. 10 MRSA §963-A, sub-§10, ¶U is enacted to read:

U. Any offshore wind energy development as defined in Title 35-A, section 102, subsection 10-A or project to manufacture components for an offshore wind energy development.

Sec. 4. PL 2009, c. 615, Pt. A, §6, 4th ¶ is amended to read:

For purposes of this section, "deep-water offshore wind energy pilot project" means an offshore wind energy project located within the University of Maine offshore energy test site or a wind energy development, as defined by Title 35-A, section 3451, subsection 11, that is connected to the electrical transmission system located in the State and employs one or more floating wind energy turbines in the Gulf of Maine at a location 300 feet or greater in depth no less than 10 nautical miles from any land area of the State other than coastal wetlands, as defined by Title 38, section 480-B, subsection 2, or an uninhabited island. "Tidal energy demonstration project" has the same meaning as in Title 38, section 636-A, subsection 1, paragraph A.

Sec. 5. PL 2009, c. 615, Pt. A, §6, 3rd ¶ from the end is amended to read:

The commission may not approve any long-term contract under this section that would result in an increase in electric rates in any customer class that is greater than ~~the amount of the assessment charged under Title 35-A, section 10110, subsection 4 at the time that the contract is entered~~ \$1.45 per megawatt hour.

Sec. 6. PL 2009, c. 615, Pt. A, §6 is amended by adding at the end a new paragraph to read:

Notwithstanding any other provision of law, the commission shall conduct a 2nd competitive solicitation of proposals for projects under this section and may not award a contract for a proposal under this section until it completes its review of additional proposals under this paragraph, as long as any such additional proposals are received before September 1, 2013. The commission may approve additional projects including but not limited to a project that is contingent on other projects previously approved by the commission not proceeding to construction within the time requirements or deadlines set forth under the previous approval. All proposals received under this section must be evaluated using the same criteria. The University of Maine's deep-water offshore wind energy pilot project must be considered a deep-water offshore wind energy pilot project under this section. The commission shall make all reasonable efforts to complete its review of proposals under competitive solicitation conducted pursuant to this paragraph and