

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTY-SEVENTH LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 3, 2014 to July 16, 2015**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**OCTOBER 15, 2015**

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

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**Augusta, Maine**  
**2015**

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

Effective May 10, 2015.

## CHAPTER 14

### H.P. 244 - L.D. 357

#### **Resolve, To Study Options for a State Demand Response Program**

**Preamble.** Whereas, there is significant value to individual consumers of electricity who participate in demand response programs that provide incentives to induce lower electricity use at times of high wholesale market prices or when system reliability is jeopardized and to consumers who benefit from reduced peak electricity pricing and increased electrical grid stability; and

**Whereas,** such consumer and grid benefits are best obtained through formal demand response programs designed to encourage consumer participation; and

**Whereas,** the State's consumers and economy are being harmed by increased energy costs due to natural gas pipeline constraints and this harm may be reduced through participation in a state demand response program; and

**Whereas,** the United States Supreme Court is currently considering whether demand response programs are within the federal jurisdiction of the Federal Energy Regulatory Commission or are reserved to state jurisdiction and the resulting uncertainty has reduced participation in existing demand response programs; and

**Whereas,** the existing regional demand response program rules do not adequately address the needs of Maine electricity consumers; and

**Whereas,** it is important to the State's electrical consumers and economy that the State be prepared to implement a demand response program, if necessary, for either Maine alone or in conjunction with the other New England states; now, therefore, be it

**Sec. 1. Study of options for a state demand response program. Resolved:** That the Efficiency Maine Trust shall, using existing resources, study options for a state demand response program that will produce electricity consumer and electrical grid benefits and that will allow and encourage participation of Maine electricity consumers in the program. In conducting its study, the trust shall consult with the Governor's Energy Office, the Public Utilities Commission, the Office of the Public Advocate and ISO-New

England and shall survey other states in New England regarding their interest in demand response programs at the state or regional level and consider demand response program rules that do not unduly burden or discourage consumer participation. The trust shall solicit the involvement of transmission and distribution utilities and electricity consumers in the State and determine consumer preferences for demand response program elements and rules. The trust shall issue a draft report and accept comments from the public and other interested parties. The trust shall coordinate with the other state agencies involved in order to efficiently and effectively solicit such public comment. The trust shall submit a report of its study and conclusions, including recommended legislation, by February 1, 2016 to the Joint Standing Committee on Energy, Utilities and Technology, which may report out a bill to the Second Regular Session of the 127th Legislature.

See title page for effective date.

## CHAPTER 15

### H.P. 108 - L.D. 150

#### **Resolve, Requiring a Review of and a Report on Pretrial and Post-conviction Use of Batterers' Intervention Programs**

**Sec. 1. Review of pretrial and post-conviction use of batterers' intervention programs. Resolved:** That the Maine Commission on Domestic and Sexual Abuse, as established in the Maine Revised Statutes, Title 5, section 12004-I, subsection 74-C, shall review pretrial and post-conviction use of batterers' intervention programs. The review must include best practices for batterers' intervention programs, including the length of successful programs and sanctions and incentives to encourage full participation. The review must consider the potential for use of batterers' intervention programs before trial, during a period of deferred disposition and after conviction; and be it further

**Sec. 2. Report on pretrial and post-conviction use of batterers' intervention programs. Resolved:** That, after completing the review required under section 1, the Maine Commission on Domestic and Sexual Abuse shall report to the Joint Standing Committee on Criminal Justice and Public Safety by January 1, 2016 on the results of the review. The report may include recommendations and suggested legislation. Following receipt of the report the Joint Standing Committee on Criminal Justice and Public Safety may submit a bill on pretrial and post-

conviction use of batterers' intervention programs to the Second Regular Session of the 127th Legislature.

See title page for effective date.

## CHAPTER 16

H.P. 801 - L.D. 1170

### **Resolve, Regarding Legislative Review of Portions of Chapter 11: Rules Governing the Controlled Substances Prescription Monitoring Program, a Late-filed Major Substantive Rule of the Department of Health and Human Services**

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

**Whereas,** the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A requires legislative authorization before major substantive agency rules may be finally adopted by the agency; and

**Whereas,** the above-named major substantive rule has been submitted to the Legislature outside the legislative rule acceptance period; and

**Whereas,** immediate enactment of this resolve is necessary to record the Legislature's position on final adoption of the rule; 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

**Sec. 1. Adoption. Resolved:** That final adoption of portions of Chapter 11: Rules Governing the Controlled Substances Prescription Monitoring Program, a provisionally adopted major substantive rule of the Department of Health and Human Services that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A outside the legislative rule acceptance period, is authorized.

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

Effective May 26, 2015.

## CHAPTER 17

S.P. 413 - L.D. 1161

### **Resolve, To Modify the Deed for a Parcel of Property in the Town of Carrabassett Valley**

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

**Whereas,** Resolve 1999, chapter 41 provided for the sale of approximately 1,203 acres of land to the Town of Carrabassett Valley; and

**Whereas,** the land was conveyed with certain restrictions; and

**Whereas,** these restrictions prevent the development of an outdoor recreational and educational center for persons with developmental and physical disabilities; and

**Whereas,** these restrictions need to be changed as quickly as possible to allow construction to begin on this center in time to allow for its use this year; 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

**Sec. 1. Resolve 1999, c. 41, §6, enacted. Resolved:** That Resolve 1999, c. 41, §6 is enacted to read:

**Sec. 6. Development for certain uses. Resolved:** That, notwithstanding the conditions and restrictions specified in section 4, the Town of Carrabassett Valley is authorized to lease no more than 2 acres of land to a nonprofit corporation for development of an outdoor recreational and educational center for use by persons with developmental and physical disabilities, including persons who are blind or visually impaired or who have aphasia, Parkinson's disease or autism, and including residential and overnight accommodations and dining facilities for staff and guests. The nonprofit corporation may charge a fee for use of the center and its accommodations, including services provided at the center.

; and be it further

**Sec. 2. Amendment of deed. Resolved:** That the Director of the Bureau of Parks and Lands in the Department of Agriculture, Conservation and Forestry shall amend the deed conveyed to the Town of Carrabassett Valley pursuant to Resolve 1999, chapter 41 to reflect the changes made in this resolve.