

MAINE STATE LEGISLATURE

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STATE OF MAINE
124TH LEGISLATURE
SECOND REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed during the Second Regular Session of the 124th Maine Legislature coming from the

**JOINT STANDING COMMITTEE ON UTILITIES AND
ENERGY**

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STATE OF MAINE

124TH LEGISLATURE
SECOND REGULAR SESSION



LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* summarizes all bills and adopted amendments and all laws enacted or finally passed during the Second Regular Session of the 124th Maine Legislature.

The *Digest* is arranged alphabetically by committee and within each committee by LD number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each bill 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 bill is noted to the right of the bill title. The abbreviations used for various categories of final action are as follows:

<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; bill died</i>
<i>DIED BETWEEN HOUSES</i>	<i>House & Senate disagree; bill died</i>
<i>DIED IN CONCURRENCE</i>	<i>One body accepts ONTP report; the other indefinitely postpones the bill</i>
<i>DIED ON ADJOURNMENT</i>	<i>Action incomplete when session ended; bill died</i>
<i>EMERGENCY</i>	<i>Enacted law takes effect sooner than 90 days</i>
<i>FAILED EMERGENCY ENACTMENT/FINAL PASSAGE</i>	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED ENACTMENT/FINAL PASSAGE</i>	<i>Bill failed to get majority vote</i>
<i>FAILED MANDATE ENACTMENT</i>	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>NOT PROPERLY BEFORE THE BODY</i>	<i>Ruled out of order by the presiding officers; bill died</i>
<i>INDEF PP</i>	<i>Bill Indefinitely Postponed; bill died</i>
<i>ONTP (or Accepted ONTP report)</i>	<i>Ought Not To Pass report accepted; bill 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>UNSIGNED</i>	<i>Bill held by Governor</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 124th Legislature is Monday, July 12, 2010. The effective date for legislation enacted as an emergency measure is specified in the enacted law summary for those bills.

Joint Standing Committee on Utilities and Energy

federally supported dark fiber in the State that is leased, sold or used within the carrier's service territory. The funds remain available in the broadband sustainability fund for one year and, if not disbursed to carriers, are transferred to the ConnectME Fund. To receive funds the carrier must provide a request and a certification relating to the use of the funds for deployment of broadband infrastructure in unserved areas. The carrier is required to use the funds in accordance with that certification. All funds remaining in the broadband sustainability fund on December 31, 2018 are transferred to the ConnectME Fund.

Public Law 2009, chapter 612 was enacted as an emergency measure effective April 6, 2010.

LD 1783 An Act To Amend the Charter of the Kennebec Water District

P & S 38

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARRACHE	OTP-AM	S-413

This bill amends the charter of the Kennebec Water District as follows.

1. It removes the language indicating that the records of the water district are public and that the meetings are open.
2. It defines how the trustees are to establish the amount of compensation that they are entitled to receive.
3. It incorporates into the charter language enacted in Private and Special Law 1905, chapter 152 regarding the authority of the district to refund its indebtedness, exercise the right of eminent domain, mark boundaries and commence proceedings for condemnation.
4. It removes archaic language that authorizes the water district to acquire the Maine Water Company because the Maine Water Company was purchased by the Kennebec Water District pursuant to Private and Special Law 1899, chapter 200, section 6.
5. It removes archaic language that conditions the effect of the initial charter on the approval by the City of Waterville and the Fairfield Village Corporation because the City of Waterville and the Fairfield Village Corporation approved the charter at meetings held for that purpose pursuant to Private and Special Law 1899, chapter 200, section 14, first paragraph.

This bill also repeals language contained in Private and Special Law 1927, chapter 79 that conditioned a change to the Kennebec Water District charter regarding the appointment and terms of trustees on the repeal of the charters of the Kendalls Mills Village Corporation and the Fairfield Village Corporation because the charters of the Kendalls Mills Village Corporation and the Fairfield Village Corporation were repealed by Private and Special Law 1927, chapter 12.

Committee Amendment "A" (S-413)

This amendment makes various technical changes to the bill and removes certain obsolete language from the Kennebec Water District charter. It also removes from the bill the provision allowing the district trustees to establish their compensation, clarifies that the district's business must be conducted in accordance with the freedom of access laws and provides that an appeal from a decision of the district regarding a determination of damages for a taking of land must be made within 30 days of notice of the decision.

Enacted Law Summary

Private and Special Law 2009, chapter 38 amends the charter of the Kennebec Water District as follows.

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1. It removes the language indicating that the records of the water district are public and that the meetings are open but clarifies that the district's business must be conducted in accordance with the freedom of access laws.
2. It incorporates into the charter language enacted in Private and Special Law 1905, chapter 152 regarding the authority of the district to refund its indebtedness, exercise the right of eminent domain, mark boundaries and commence proceedings for condemnation.
3. It provides that an appeal from a decision of the district regarding a determination of damages for a taking of land must be made within 30 days of notice of the decision.
4. It removes certain archaic and obsolete language from the charter.

LD 1786 An Act Regarding Energy Infrastructure Development

PUBLIC 655

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	H-809

PART A

This bill amends the laws governing energy infrastructure corridors to designate the Interstate 95 corridor, the Interstate 295 corridor and the Searsport-Loring Corridor as "statutory corridors" and to continue a process for the designation of "petitioned corridors" by petition to the Public Utilities Commission. It establishes an interagency review panel to oversee the use of the statutory corridors including soliciting, accepting and evaluating proposals for the use of the corridors and it establishes standards for approval of proposals to ensure that they are in the long-term best interests of the State. For energy infrastructure projects within a statutory corridor, the bill requires projects to obtain a long-term occupancy agreement with the Interagency Review Panel, a consolidated environmental permit from the Department of Environmental Protection and, if the project is a transmission line, a certificate of public convenience and necessity from the Public Utilities Commission. For energy infrastructure projects within a petitioned corridor, the bill requires projects to obtain a corridor use certificate from the Public Utilities Commission, a consolidated environmental permit from the Department of Environmental Protection and, if the project is a transmission line, a certificate of public convenience and necessity from the commission. The bill requires the Interagency Review Panel to deny approval of and the Public Utilities Commission to deny a corridor use certificate for any energy infrastructure project that does not enhance opportunities for energy generation in the State and significantly and measurably reduce electric rates or other relevant energy costs for residents and businesses within the State. The bill also moves the repeal date for the energy infrastructure corridor laws from July 30, 2011 to July 30, 2015.

The bill requires that, except when prohibited by law, all revenues generated from the use of state-owned land and assets within energy infrastructure corridors be deposited in an energy infrastructure benefits fund. The bill requires the Maine Turnpike Authority to grant an easement to the Department of Transportation along the portion of Interstate 95 designated as the Maine Turnpike to allow its use as part of the Interstate 95 statutory corridor and requires revenues generated from the use of the easement as part of the Interstate 95 statutory corridor be deposited in the energy infrastructure benefits fund.

PART B

The bill requires all revenues collected in the energy infrastructure benefits fund be transferred to the Efficiency Maine Trust and used on a competitive basis to ensure a steady transition to energy independence and security for