

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
125<sup>TH</sup> LEGISLATURE  
FIRST REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed

**JOINT STANDING COMMITTEE ON ENERGY, UTILITIES  
AND TECHNOLOGY**

July 2011

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STATE OF MAINE  
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LEGISLATIVE DIGEST OF BILL SUMMARIES AND  
ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* summarizes all LDs and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 125<sup>th</sup> Maine Legislature.

The *Digest* is arranged alphabetically by committee and within each committee by Legislative Document (LD) number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each LD 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 LD is noted to the right of the LD title. The following describes the various final actions.

*CARRIED OVER* ..... carried over to a subsequent session of the Legislature  
*CON RES XXX*..... chapter # of constitutional resolution passed by both houses  
*CONF CMTE UNABLE TO AGREE*..... Committee of Conference unable to agree; legislation died  
*DIED BETWEEN HOUSES*..... House & Senate disagreed; legislation died  
*DIED IN CONCURRENCE*..... defeated in each house, but on different motions; legislation died  
*DIED ON ADJOURNMENT*..... action incomplete when session ended; legislation died  
*EMERGENCY*..... enacted law takes effect sooner than 90 days after session adjournment  
*FAILED, EMERGENCY ENACTMENT or FINAL PASSAGE* ..... emergency failed to receive required 2/3 vote  
*FAILED, ENACTMENT or FINAL PASSAGE*..... failed to receive final majority vote  
*FAILED, MANDATE ENACTMENT* ..... legislation proposing local mandate failed required 2/3 vote  
*HELD BY GOVERNOR*..... Governor has not signed; final disposition to be determined at subsequent session  
*LEAVE TO WITHDRAW*..... sponsor's request to withdraw legislation granted  
*NOT PROPERLY BEFORE THE BODY* ..... ruled out of order by the presiding officer; legislation died  
*INDEF PP*..... indefinitely postponed; legislation died  
*ONTP, ACCEPTED, MAJORITY, MINORITY or REPORT X*... ought-not-to-pass report accepted; legislation died  
*P&S XXX*..... chapter # of enacted private & special law  
*PUBLIC XXX*..... chapter # of enacted public Law  
*RESOLVE XXX*..... chapter # of finally passed resolve  
*VETO SUSTAINED*..... Legislature failed to override Governor's veto

The effective date for non-emergency legislation enacted in the First Regular Session of the 125<sup>th</sup> Legislature is September 28, 2011. The effective date for legislation enacted as an emergency measure may be found in the enacted law summary for that legislation.

**Joint Standing Committee on Energy, Utilities and Technology**

**Enacted Law Summary**

Public Law 2011, chapter 262 defines net energy billing. Unallocated language directs the commission to amend its Chapter 313 rule governing net energy billing to require that the length of contracts for interconnection agreements is sufficient for the purpose of securing financing.

**LD 801      An Act To Authorize the Public Utilities Commission To Require That      ONTP**  
**Transmission or Distribution Lines Be Placed Underground**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HILL	ONTP	

This bill requires the Public Utilities Commission, on petition of a customer of a transmission and distribution utility, to open a proceeding to determine whether to order a transmission or distribution line to be placed underground. The commission must order that a transmission or distribution line be placed underground if the commission finds that the public health, safety or welfare would be enhanced by such placement. The commission is required to allow a transmission and distribution utility to recover the actual costs of complying with the commissions order to place a line underground.

**LD 802      An Act To Amend the Requirements for Electric Transmission Lines      PUBLIC 281**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BARTLETT	OTP-AM MAJ OTP-AM MIN	S-197

This bill amends the statute governing the issuance of certificates of public convenience and necessity for transmission lines. This bill provides that the Public Utilities Commission may not approve a certificate of public convenience and necessity for a transmission line unless it finds that the construction and operation of the proposed transmission line either reduces costs for consumers or is necessary to meet the reliability requirements imposed by the Federal Energy Regulatory Commission or its designated electric reliability organization.

The bill also corrects a conflict that was created by Public Law 2009, chapter 615 and chapter 655 by incorporating the changes made by both chaptered laws.

**Committee Amendment "B" (S-197)**

This amendment is the majority report of the Energy, Utilities and Technology Committee. The amendment strikes the requirement that a proposed transmission line either reduce the costs for consumers or be necessary to meet reliability requirements for a certificate of public convenience and necessity to be issued by the Public Utilities Commission.

**Committee Amendment "A" (S-196)**

This amendment is the minority report of the Energy, Utilities and Technology committee. The amendment reorganizes provisions related to certificates of public convenience and necessity and provides that in addition to the Federal Energy Regulatory Commission or its designated electric reliability organization's standards determining if a transmission line is being constructed for the purpose of reliability, the Public Utilities Commission may make an