

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

STATE OF MAINE
125TH 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

MEMBERS:

SEN. MICHAEL D. THIBODEAU, CHAIR
SEN. CHRISTOPHER W. RECTOR
SEN. PHILIP L. BARTLETT II

REP. STACEY ALLEN FITTS, CHAIR
REP. JAMES M. HAMPER
REP. DEAN A. CRAY
REP. LARRY C. DUNPHY
REP. AARON F. LIBBY
REP. JON HINCK
REP. ALEXANDER CORNELL DU HOUX
REP. ROBERTA B. BEAVERS
REP. MARK N. DION
REP. LOUIS J. LUCHINI

STAFF:

JEAN GUZZETTI, LEGISLATIVE ANALYST
JON CLARK, DEPUTY DIRECTOR
OFFICE OF POLICY AND LEGAL ANALYSIS
13 STATE HOUSE STATION
AUGUSTA, ME 04333
(207) 287-1670

STATE OF MAINE
125TH LEGISLATURE
FIRST REGULAR SESSION



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 125th 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 125th 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

Joint Standing Committee on Energy, Utilities and Technology

independent finding that a transmission line is needed for reliability.

Enacted Law Summary

Public Law 2011, chapter 281 corrects a conflict that was created by Public Laws 2009, chapter 615 and chapter 655 by incorporating the changes made by both chaptered laws, which was the majority report of the committee.

LD 865 An Act To Require the Department of Environmental Protection To Enforce Standards for Smaller-scale Wind Energy Development in Organized Areas ONTP

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

This bill requires that the Department of Environmental Protection enforce the standards concerning siting considerations for smaller-scale wind energy development in organized areas.

The committee considered 14 bills related to wind energy development during the first regular session of the 125th legislature. The committee voted all of the wind energy bills, except LD 1366, An Act to Update the Maine Wind Energy Act to Include Low-emission Energy, ought-not-to-pass. The committee amendment to LD 1366 was used as a vehicle to address many of the wind energy issues brought forward in the other bills.

LD 870 An Act To Examine Electric Utility Regulation and Fees To Reduce Rates ONTP

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

This bill establishes the Electric Rate Evaluation Council to conduct a review of electric industry costs that go into the determination of electric rates and make recommendations to the joint standing committee of the Legislature having jurisdiction over energy, utilities and technology matters for repeal of any taxes, fees or regulatory provisions that are not justified.

The bill was voted unanimously ought-not-to-pass. A letter was sent to the director of the Office of Energy Independence and Security, requesting that the office post information on its website regarding the components of an electricity bill and factors that potentially influence electricity costs. The letter also requested that the same information be placed on the Office of Public Advocate website.

**LD 890 An Act To Create the Anson and Madison Water District P & S 6
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CURTIS WHITTEMORE	OTP-AM	H-116