

# 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**

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

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

This bill creates the Anson and Madison Water District, which is composed of the Anson Water District and the Madison Water District.

### **Committee Amendment "A" (H-116)**

This amendment makes the following changes to the bill:

1. It provides that the first board of trustees of the Anson and Madison Water District consists of 7 members, 4 appointed by the trustees of the Madison Water District and 3 appointed by the trustees of the Anson Water District. It also specifies the initial terms of the trustees;
2. It requires the trustees to hold a meeting within 30 days after the effective date of the bill to elect a chair, treasurer and secretary from among the trustees;
3. It provides that subsequent trustees are elected to 3-year terms, 4 members from the Town of Madison elected by the inhabitants of the Town of Madison and 3 members from the Town of Anson elected by the inhabitants of the Town of Anson. The elections are conducted in accordance with municipal election law by secret ballot;
4. It eliminates sections of the bill dealing with eminent domain and financing. The district will be governed by the standard water district laws governing those matters;
5. It clarifies that when the district is created and the current Anson Water District and Madison Water District are dissolved, legislation must be submitted to repeal the Anson Water District and the Madison Water District charters; and
6. It corrects a clerical error in the bill.

### **Enacted Law Summary**

Private and Special Law 2011, chapter 6 creates the Anson and Madison Water District, which is composed of the Anson Water District and the Madison Water District.

Private and Special Law 2011, chapter 6 was enacted as an emergency measure effective May 19, 2011.

## **LD 908      An Act Regarding Gas Utilities under the Safety Jurisdiction of the Public Utilities Commission**

**PUBLIC 197  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FITTS	OTP-AM	H-298

This bill defines "customer" and "corrosion" for purposes of Public Utility Commission safety jurisdiction over certain gas utilities. "Customer" is defined as a consumer that receives an invoice or bill from a gas utility. "Corrosion" is defined as a condition exhibiting signs of deterioration (pitting or loss of metal) but not surface rust or loss of paint coating.

### **Committee Amendment "A" (H-298)**

This amendment replaces the bill and establishes parameters for the Public Utilities Commission's safety regulation of liquefied petroleum gas systems. This amendment:

1. Authorizes the commission to regulate such systems as an agent of the United States Department of