

# 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  
125<sup>TH</sup> LEGISLATURE  
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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*

interconnected voice over Internet protocol service to its status prior to the issuance by the commission of its October 27, 2010 order in docket number 2008-421. Notwithstanding any limitation that the legislative findings in this resolve might impose on the commission as a result of the regulatory effects of this provision, the commission may, free of any such limitations, examine and develop recommendations regarding interconnected voice over Internet protocol service when developing its plan.

Resolve 2011, chapter 69 was finally passed as an emergency measure effective June 9, 2011.

**LD 1479     An Act To Minimize Conflicts between Property Owners and Grid-scale Wind Energy Developments     ONTP**

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

This bill removes statutory guidance for wind energy development standards and creates specific statewide standards for setback requirements, shadow flicker effects and decommissioning plans for grid-scale wind energy developments and offshore wind power projects. This bill limits the length of roads and utility lines associated with a grid-scale wind energy development and the type of lighting that may be placed on a wind turbine. This bill directs the Department of Environmental Protection to adopt rules concerning statewide standards for sound level limits.

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 1483     An Act To Amend the Charter of the Sanford Sewerage District     P & S 11**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
COURTNEY	OTP-AM	S-140

This bill amends the charter of the Sanford Sewerage District to incorporate certain provisions of the sanitary district laws, to increase the number of trustees from 3 to 5 and to make other technical changes.

**Committee Amendment "A" (S-140)**

This amendment makes certain technical changes to the bill to make the charter of the Sanford Sewerage District consistent with the sanitary and sewer district provisions of the Maine Revised Statutes, Title 38. The amendment provides that, prior to proposing any amendment to the charter to the Legislature, the trustees must present the amendment to the town council of the Town of Sanford for review and comment. It also replaces the provision in the bill that establishes the election to staggered terms of the trustees of the district to remove the number of votes the trustees receive as the factor that determines the terms of office.

**Enacted Law Summary**

Private and Special Law 2011, chapter 11 amends major portions of the charter of the Sanford Sewerage District to make it consistent with provisions of the sanitary and sewer district provisions of Maine Revised Statutes, Title 38.

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

It increases the number of trustees from 3 to 5. It provides that prior to proposing any amendment to the charter to the Legislature, the trustees must present the amendment to the town council of the Town of Sanford for review and comment.

**LD 1506      An Act To Remove Obstacles to the Use of Technological Advances for Heating in Multifamily Structures      PUBLIC 300**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FITTS	OTP-AM	H-493

Under current law, electric space heating equipment may not be installed as the primary heating system in construction that is funded using public funds. This bill specifically exempts electric thermal storage space heating equipment from this prohibition.

### **Committee Amendment "A" (H-493)**

This amendment defines "geothermal heat pump" and provides that geothermal heat pumps are not considered electric space heating equipment for the purposes of the laws governing electric heating systems in subsidized housing, thus allowing the pumps to be installed in multifamily residential structures funded by public funds.

### **Enacted Law Summary**

Public Law 2011, chapter 300 defines "geothermal heat pump" and provides that geothermal heat pumps and electric thermal storage space heating equipment are not considered electric space heating equipment for the purposes of the laws governing electric heating systems in subsidized housing, thus allowing geothermal heat pumps and electric thermal storage space heating equipment to be installed in multifamily residential structures funded by public funds.

**LD 1510      An Act Regarding Information Provided to Consumers by Competitive Electricity Providers      PUBLIC 284**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FITTS	OTP-AM	H-398

This bill removes the requirement that a competitive electricity provider provide information to a customer at least once annually that enhances the consumer's ability to effectively make choices in a competitive electricity market. It requires the Public Utilities Commission to establish by rule standards for making this information available through any means considered appropriate.

### **Committee Amendment "A" (H-398)**

This amendment changes the designation of the rules related to information provided to consumers by competitive electricity providers from major substantive rules to routine technical rules and removes the date by which the rules were to be adopted.

### **Enacted Law Summary**

Public Law 2011, chapter 284 removes the requirement that a competitive electricity provider provide information to a customer at least once annually that enhances the consumer's ability to effectively make choices in a competitive electricity market. It requires the Public Utilities Commission to establish by rule standards for making this