

# MAINE STATE LEGISLATURE

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



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

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

June 2012

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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 Second 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.

<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; legislation died</i>
<i>DIED BETWEEN HOUSES</i> .....	<i>House &amp; Senate disagreed; legislation died</i>
<i>DIED IN CONCURRENCE</i> .....	<i>defeated in each house, but on different motions; legislation died</i>
<i>DIED ON ADJOURNMENT</i> .....	<i>action incomplete when session ended; legislation died</i>
<i>EMERGENCY</i> .....	<i>enacted law takes effect sooner than 90 days after session adjournment</i>
<i>FAILED, EMERGENCY ENACTMENT or FINAL PASSAGE</i> .....	<i>emergency failed to receive required 2/3 vote</i>
<i>FAILED, ENACTMENT or FINAL PASSAGE</i> .....	<i>failed to receive final majority vote</i>
<i>FAILED, MANDATE ENACTMENT</i> .....	<i>legislation proposing local mandate failed required 2/3 vote</i>
<i>HELD BY GOVERNOR</i> .....	<i>Governor has not signed; final disposition to be determined at subsequent session</i>
<i>LEAVE TO WITHDRAW</i> .....	<i>sponsor's request to withdraw legislation granted</i>
<i>NOT PROPERLY BEFORE THE BODY</i> .....	<i>ruled out of order by the presiding officer; legislation died</i>
<i>INDEF PP</i> .....	<i>indefinitely postponed; legislation died</i>
<i>ONTP, ACCEPTED, MAJORITY, MINORITY or REPORT X</i> ...	<i>ought-not-to-pass report accepted; legislation died</i>
<i>P&amp;S XXX</i> .....	<i>chapter # of enacted private &amp; 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>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 125<sup>th</sup> Legislature is Thursday, August 30, 2012. 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**

**LD 1703**

**An Act To Create the New Gloucester Water District**

**P & S 19  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ESPLING SNOWE-MELLO	OTP-AM	H-684

This bill creates the New Gloucester Water District.

**Committee Amendment "A" (H-684)**

This amendment strikes redundant language from the bill. It adds a time frame according to which the trustees of the water district must be appointed and strikes the exception that the registrar of voters is not required to prepare or the clerk to post a new list of voters. Because of the limited time frame to secure funding to address water contamination in the New Gloucester Upper Village, the referendum for the legal voters to approve the creation of the New Gloucester Water District has been scheduled at a time that may occur before legislative approval of the bill as amended. Because of the unique and extraordinary circumstances giving rise to the bill, the bill and this amendment allow for that referendum to be held before legislative approval. If the referendum is held prior to legislative approval and the majority of legal voters approve creation of the water district, the bill as amended will take effect immediately upon the Governor's signature. If the referendum occurs after legislative approval, the bill as amended will take effect if approved by the majority of legal voters voting in the referendum.

**Enacted Law Summary**

Private and Special Law 2011, chapter 19 creates the New Gloucester Water District. The law is subject to referendum approval. Because of unique and extraordinary circumstances giving rise to the law, it allows for the referendum to be held before legislative approval. If the referendum is held prior to legislative approval and the majority of legal voters approve creation of the water district, the law will take effect immediately upon the Governor's signature. If the referendum occurs after legislative approval, the law will take effect if approved by the majority of legal voters voting in the referendum.

Private and Special Law 2011, chapter 19 was enacted as an emergency measure effective January 26, 2012, subject to referendum approval.

**LD 1706**

**An Act To Protect Maine's Biomass and Forest Products Industries by Allowing Biomass Generators To Enter into Short-term Contracts**

**DIED BETWEEN  
HOUSES**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FITTS	ONTP MAJ OTP-AM MIN	

This bill authorizes the Public Utilities Commission to enter into short-term contracts with qualifying biomass generators. This bill limits the price for the capacity and renewable energy credits generated by a qualifying biomass generator to the projected market price at the time of delivery. The average price of energy generated by a qualifying biomass generator may not exceed the lesser of a rate that, together with revenues from any sales of capacity resources and renewable energy credits, is sufficient for the qualifying biomass generator to be financially capable of normal operations, and 2¢ per kilowatt-hour over the projected wholesale market price of energy at the time of delivery.