

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
126TH LEGISLATURE
FIRST REGULAR SESSION



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

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

July 2013

STAFF:

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

MEMBERS:

SEN. JOHN J. CLEVELAND, CHAIR
SEN. TROY DALE JACKSON
SEN. EDWARD M. YOUNGBLOOD

REP. BARRY J. HOBBS, CHAIR
REP. ROBERTA B. BEAVERS
REP. DIANE RUSSELL
REP. SARA GIDEON
REP. DEANE RYKERSON
REP. RYAN D. TIPPING-SPITZ
REP. LARRY C. DUNPHY
REP. AARON F. LIBBY
REP. LANCE EVANS HARVELL
REP. MELVIN NEWENDYKE

STATE OF MAINE

126TH LEGISLATURE

FIRST REGULAR SESSION



LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* contains summaries of all LDs and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 126th 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 126th Legislature is October 9, 2013. 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

Committee on Energy, Utilities and Technology no later than December 4, 2013. The Joint Standing Committee on Energy, Utilities and Technology may report out legislation on the subject matter of the report to the Second Regular Session of the 126th Legislature.

Committee Amendment "A" (H-58)

This amendment, which replaces the resolve, more specifically defines the scope of the study proposed in the resolve and moves the reporting deadline from December 4, 2013 to January 15, 2014.

Enacted Law Summary

Resolve 2013, chapter 20 directs the Public Utilities Commission to submit a report to the Joint Standing Committee on Energy, Utilities and Technology regarding the demand charges places on the medium rate class by investor-owned transmission and distribution utilities. The report must include information regarding how a utility determines whether a business should be in the medium rate class, the impact of demand charges on seasonal businesses, new customers and business innovation and recommended changes to a utility's terms and conditions to make demand charges more just and reasonable. The Public Utilities Commission shall submit the report to the Joint Standing Committee on Energy, Utilities and Technology no later than January 15, 2014.

LD 303 An Act To Authorize the Public Advocate To Publish and Distribute Consumer Information

PUBLIC 79

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MACDONALD W	OTP-AM ONTP	H-46

This bill authorizes the Public Advocate to publish information and advice for consumers in the State concerning services such as telecommunications, electricity and gas delivery and supply and municipal drinking water services.

Committee Amendment "A" (H-46)

This amendment allows the Public Advocate to publish information in any electronic format and removes the references to advice and municipal drinking water.

Enacted Law Summary

Public Law 2013, chapter 79 authorizes the Public Advocate to publish in any electronic format information for consumers in the State concerning services such as telecommunications, electricity delivery and supply and gas delivery and supply.

LD 304 An Act To Amend the Representation on the Telecommunications Relay Services Advisory Council

PUBLIC 40

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
COOPER	OTP	

This bill removes the member on the Telecommunications Relay Services Advisory Council representing a cellular or wireless service provider and replaces the member with a member representing an Internet telecommunications relay service provider that provides service to customers in the State.

Enacted Law Summary

Public Law 2013, chapter 40 removes the member on the Telecommunications Relay Services Advisory Council representing a cellular or wireless service provider and replaces the member with a member representing an Internet

Joint Standing Committee on Energy, Utilities and Technology

telecommunications relay service provider that provides service to customers in the State.

LD 372 An Act To Transfer the Responsibilities of the Department of Public Safety, Maine Communications System Policy Board to the Bureau of Consolidated Emergency Communications PUBLIC 19

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
YOUNGBLOOD KESCHL	OTP	

This bill transfers the powers and duties of the Department of Public Safety, Maine Communications System Policy Board to the Bureau of Consolidated Emergency Communications within that department.

Enacted Law Summary

Public Law 2013, chapter 19 transfers the powers and duties of the Department of Public Safety, Maine Communications System Policy Board to the Bureau of Consolidated Emergency Communications within that department.

LD 385 An Act To Improve Wind Energy Development Permitting PUBLIC 325

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BEAVERS JACKSON T	OTP-AM OTP-AM	H-521

This bill improves the permitting process for wind energy development by providing for public comment and the opportunity for the public to request a hearing and by permitting an intervenor to request an adjudicatory proceeding. The bill provides that wind energy development constitutes a significant adverse effect on the natural environment if proposed in a fir-heartleaved birch subalpine forest natural vegetation community. The bill also requires that a wind energy permit must require best practical mitigation to reduce impacts on scenic, wildlife and other resources.

Committee Amendment "A" (H-521)

This amendment is the majority report and replaces the bill. The amendment modifies the permitting process for grid-scale wind energy developments by providing for public comment and the opportunity for the public to request a hearing and by permitting an intervenor to request an adjudicatory hearing. The amendment provides a rebuttable presumption that wind energy development constitutes a significant adverse effect on natural resources if proposed in a Bicknell's Thrush habitat 25 acres or larger in which Bicknell's Thrush have been documented. The amendment also requires that a grid-scale wind energy development permit application must contain options for best practical mitigation to reduce impacts on scenic or wildlife resources.

Committee Amendment "B" (H-522)

This amendment is the minority report and replaces the bill. It requires that wind energy must provide a tangible benefit of lower electricity rates for ratepayers in this State and adds a new definition of "cumulative scenic impact" to allow for rulemaking to address potential cumulative impacts related to multiple wind energy generating facilities. It changes the size of the area in which an analysis of visual impact must be undertaken from 3 and 8 miles as in current law to 8 and 15 miles. Additionally, it creates a rebuttable presumption of unreasonable adverse effect on the scenic character of an area if the generating facility is located within 15 miles of Acadia National Park, the Appalachian Trail, a federally designated wilderness area, Baxter State Park or the Allagash Wilderness Waterway.