

MAINE STATE LEGISLATURE

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STATE OF MAINE
126TH LEGISLATURE
SECOND REGULAR SESSION



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

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

May 2014

STAFF:

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

MEMBERS:

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STATE OF MAINE
126TH LEGISLATURE
SECOND REGULAR SESSION
LEGISLATIVE DIGEST OF BILL SUMMARIES AND
ENACTED LAWS

The *Digest* is arranged 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.

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 HOUSESHouse & 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
EMERGENCYenacted 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 Second Regular Session of the 126th Legislature is August 1, 2014. 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

This bill was carried over from the First Regular Session of the 126th Legislature.

This resolve directs the Public Utilities Commission, Emergency Services Communication Bureau to expand its quality assurance system to include fire and police call processing and dispatching and also to expand its emergency medical dispatch structured protocol system to include equivalent fire and police protocols and to authorize necessary 9-1-1 funding.

LD 616 An Act To Amend the Expedited Permitting Area for Wind Energy Development under the Jurisdiction of the Maine Land Use Planning Commission Died Between Houses

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUNPHY SHERMAN	OTP-AM ONTP	

This bill was carried over from the First Regular Session of the 126th Legislature.

This bill amends unallocated language in Public Law 2007, chapter 661, "An Act To Implement Recommendations of the Governor's Task Force on Wind Power Development," to remove Carrying Place Township, Concord Township, Highland Plantation, Lexington Township and Pleasant Ridge Plantation from the expedited permitting area for the purposes of that Act and directs the Maine Land Use Planning Commission to amend its rules accordingly.

Committee Amendment "A" (H-527)

This amendment, which was the majority report of the committee during the First Regular Session of the 126th Legislature, requires the Maine Land Use Planning Commission to adopt major substantive rules to establish a process to remove a specific location from the expedited permitting area for certain wind energy development under the Maine Revised Statutes, Title 35-A, chapter 34-A. This amendment prohibits the Department of Environmental Protection from accepting an application for a permit for an expedited wind energy development under certain circumstances in Carrying Place Township, Concord Township, Highland Plantation, Lexington Township and Pleasant Ridge Plantation until after the process for removal of a specified place from the expedited permitting area is established by the Maine Land Use Planning Commission. The amendment adds an appropriations and allocations section.

The bill was referred back to the Energy, Utilities and Technology Committee and carried over to the Second Regular Session of the 126th Legislature.

Committee Amendment "B" (H-528)

This amendment, which was the minority report of the committee during the First Regular Session of the 126th Legislature, replaces the bill. It requires the Maine Land Use Planning Commission to adopt major substantive rules to establish a process to remove a specific location from the expedited permitting area for certain wind energy development under the Maine Revised Statutes, Title 35-A, chapter 34-A. It specifies that the process must include a petition and limits the removal to places that are adjacent to locations that are not within the expedited permitting area and requires that the removal of the place not compromise the fulfillment of the State's wind energy policies. The amendment also adds an appropriations and allocations section.

The bill was referred back to the Energy, Utilities and Technology Committee and carried over to the Second Regular Session of the 126th Legislature.

Committee Amendment "C" (H-638)

Joint Standing Committee on Energy, Utilities and Technology

This amendment is the majority report of the committee during the Second Regular Session of the 126th Legislature. This amendment replaces the bill. This amendment directs the Maine Land Use Planning Commission to adopt rules that govern the rule-making process for removing locations from the expedited permitting area. This amendment authorizes the Maine Land Use Planning Commission to remove locations from the expedited permitting area through rulemaking and exempts that rulemaking from the requirements concerning notice to the Legislature and inclusion in the regulatory agenda. This amendment prohibits the Maine Land Use Planning Commission from certifying that an expedited wind energy development is an allowable use in a location for which a petition is pending for removal from the expedited permitting area. The amendment also adds an appropriations and allocations section.

LD 646 An Act To Remove the 100-megawatt Limit on Renewable Sources of Energy **Accepted Majority (ONTP) Report**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
YOUNGBLOOD DUNPHY	ONTP OTP-AM	

This bill was carried over from the First Regular Session of the 126th Legislature.

This bill removes the 100-megawatt maximum capacity limit for a source of electrical generation to qualify as a renewable resource for purposes of meeting the State's renewable resource portfolio requirement.

Committee Amendment "A" (S-453)

This amendment is the minority report. It removes the 100 megawatt capacity limit that applies to renewable resources that participate in the renewable portfolio program and establishes a temporary alternative renewable portfolio program for certain renewable capacity resources.

LD 796 Resolve, To Enhance Economic Development by Encouraging Businesses Adjacent to Electric Power Generators To Obtain Power Directly **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CAMPBELL R TUTTLE	ONTP	

This bill was carried over from the First Regular Session of the 126th Legislature. The committee, by letter dated June 19, 2013, requested that the Public Utilities Commission provide a report on the progress of a pending rate design case at the commission as it pertains to the policy issues raised in this bill. The commission submitted that report to the committee on December 10, 2013.

This resolve is a concept draft pursuant to Joint Rule 208.

This resolve proposes to establish a stakeholder group to identify barriers to and incentives for the direct purchase of electricity by businesses adjacent to electricity-generating facilities, with the intent that the direct purchase of the electricity will decrease total electricity costs to the businesses.

The stakeholder group may be chaired by a representative of the Public Utilities Commission, the Office of the Public Advocate or the Governor's Energy Office. Stakeholders may include representatives from the Public Utilities Commission, the Office of the Public Advocate, the Governor's Energy Office, the Department of Economic and Community Development, municipalities, business associations, transmission and distribution