

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
126<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**

May 2014

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**STATE OF MAINE**  
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**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 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 Second Regular Session of the 126<sup>th</sup> 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 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

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

utilities, electricity generators and up to two Legislators appointed by the presiding officers. Other than the two Legislators appointed by the presiding officers, the members of the stakeholder group may be appointed by the Public Utilities Commission, the Office of the Public Advocate or the Governor's Energy Office.

The stakeholder group is required to examine the effects of exit fees, limitations on authority to construct electric transmission lines and the need for backup service from transmission and distribution utilities on the ability of a business to purchase electricity directly from an electricity-generating facility adjacent to the business's property. Additionally, the stakeholder group may consider the feasibility of designating businesses located adjacent to electricity-generating facilities as Pine Tree Development Zone businesses, regardless of the type of business, in order to encourage development in those locations so that the businesses may take advantage of the benefits provided in the Maine Revised Statutes, Title 35-A, section 3210-E.

The stakeholder group is required to report to the Joint Standing Committee on Energy, Utilities and Technology by January 15, 2014 the findings and recommendations of the stakeholder group, including any suggested legislation. The committee is authorized to report out a bill relating to the report to the Second Regular Session of the 126th Legislature.

**LD 826      An Act To Eliminate the Opt-out Charges for Smart Meters      ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BEAVERS JACKSON T	ONTP	

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

This bill prohibits a transmission and distribution utility from charging a customer a fee or a higher rate for declining the installation or for the removal of a wireless smart meter. If a customer declines the installation of a wireless smart meter, the transmission and distribution utility may decrease the number of times the electromechanical meter is read, but may not read the meter less frequently than once every 12 months, and may establish a rate collection method that is based upon the average electricity consumption of the customer.

**LD 950      An Act To Establish the Electromagnetic Field Safety Act      ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SANDERSON	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 information regarding the potential health impacts of electric and magnetic fields associated with transmission lines and additional information regarding the mitigation techniques proposed in the bill. The commission submitted that information to the committee on November 30, 2013.

This bill requires that, beginning October 1, 2013, all new transmission line and electrical installations capable of carrying 5,000 volts or more of electricity must be set back at least 300 feet from residential homes, residential care facilities, hospitals, schools, licensed daycare facilities, playgrounds, youth centers, religious facilities and youth camps.

The committee voted the bill ought not to pass and sent letters to the Joint Standing Committee on Health and Human Services, the Joint Standing Committee on Education and Cultural Affairs and the Joint Standing Committee