

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

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

Joint Standing Committee on Energy, Utilities and Technology

on Labor, Commerce, Research and Economic Development regarding the potential health impacts of electric and magnetic fields associated with transmission lines.

LD 965 An Act To Improve Maine's Underground Facility Damage Prevention Program ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BEAULIEU CLEVELAND	ONTP	

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

This bill establishes the Dig Safe Advisory Board, which will collaborate with the Public Utilities Commission for the purpose of improving the protection of underground facilities. The bill also requires that persons who own underground facilities and who are not members of the underground facility damage prevention system register their facilities with the Public Utilities Commission and provide the commission with current 24-hour contact information for purposes of notification regarding excavations.

LD 1004 An Act To Clarify Voting Procedures for Standard Water Districts ONTP

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

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

This bill clarifies voting procedures for standard water districts. Currently, standard district charters and charter amendments approved by the Legislature and the Maine Revised Statutes, Title 35-A, sections 6410, 6413 and 6413-A use language to the effect that referendum elections or trustee elections must be conducted in accordance with the laws relating to municipal elections without explicitly stating that the secret ballot method of voting is to be used. This bill clarifies that secret ballot voting in accordance with Title 30-A, section 2528 is the method to be used to enact or amend a standard district charter by referendum, to elect trustees or to establish or amend a debt limit by referendum, even if a municipality in which the standard district is located has not accepted this method of voting.

LD 1013 An Act To Create the Wireless Information Act Died On Adjournment

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BOLAND COLLINS	OTP-AM ONTP	H-618 H-674 BOLAND

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

This bill provides that a retailer may not sell at retail in this State a cellular telephone unless the cellular telephone and its packaging bear a warning label relating to the potential health effects associated with nonthermal effects of cellular telephone radiation. It requires the manufacturer of the cellular telephone to provide the warning labels to the retailer at no cost to the retailer. The bill also requires that any safety notification supplied by a cellular telephone manufacturer must have the language of the safety notification plainly visible on the outside of the