

MAINE STATE LEGISLATURE

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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

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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

ownership requirement to qualify for net energy billing, that there is no limit on the number of meters that may be net metered against an eligible facility and that eligible facilities may have a generating capacity of up to 2 megawatts.

The committee voted this bill ought-not-to-pass, but carried over a number of bills related to renewable energy policies and plans to include net energy billing in its consideration of those bills. The bills that the committee carried over are: LD 646, An Act to Remove the 100-megawatt Limit on Renewable Sources of Energy, LD 1085, An Act to Establish the Renewable Energy Feed-in Tariff, LD 1252, An Act to Improve Maine's Economy and Energy Security with Solar and Wind Energy and LD 1278, An Act to Ensure Equitable Support for Long-term Energy Contracts.

LD 1147 An Act To Protect Maine's Scenic Character

CARRIED OVER

Sponsor(s)

HAYES

Committee Report

REF TO EUT/OTP-AM
OTP-AM

Amendments Adopted

This bill makes several changes to the scenic impact provisions of the laws governing expedited permitting of grid-scale wind energy development enacted in 2008. It offers the possibility of protecting scenic resources that have been identified as significant by municipalities in their comprehensive plans and the scenic resources of certain great ponds on which there are commercial sporting camps; increases from 8 miles to 15 miles the jurisdictional distance for requiring visual impact assessments; and creates a rebuttable presumption that proposed grid-scale wind energy development projects within 15 miles of Acadia National Park, Baxter State Park, the Appalachian Trail, a federally designated wilderness area or the Allagash Wilderness Waterway will have an unreasonable adverse effect on a scenic resource. It requires the Department of Environmental Protection to consider the cumulative impacts of development when permitting grid-scale wind energy development projects under the laws governing expedited permitting of grid-scale wind energy development. It requires the Department of Environmental Protection to undertake rulemaking with respect to required decommissioning plans and directs updates of the great ponds studies done in 1987 and 1989.

Committee Amendment "A" (H-550)

This amendment replaces the bill. It adds a new definition of "cumulative scenic impact or effect" to address potential cumulative impacts related to multiple wind energy generating facilities that are observed from a scenic resource of state or national significance. It changes the size of the area in which an analysis of visual impact must be undertaken from 3 and 8 miles currently to 8 and 15 miles. It creates a rebuttable presumption of unreasonable adverse effect on scenic character 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.

This amendment was reported out by the Joint Standing Committee on Environment and Natural Resources. The bill was committed to the Joint Standing Committee on Energy, Utilities and Technology.

The bill was then carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145 as amended by H-B (H-580) and H-C (H-582).

LD 1187 An Act To Create the Maine Energy Cost Reduction Authority

ONTP

Sponsor(s)

FREDETTE
CLEVELAND

Committee Report

ONTP

Amendments Adopted

Joint Standing Committee on Energy, Utilities and Technology

This bill establishes the Maine Energy Cost Reduction Authority for the purpose of entering into contracts to procure and resell natural gas pipeline capacity and electric energy and capacity, to identify and designate corridors for the construction of natural gas transmission pipelines and to enter into long-term contracts for the use of natural gas pipeline corridors through the development of natural gas pipelines.

The committee incorporated the concepts presented in this bill into LD 1559, An Act to Reduce Energy Costs, Increase Energy Efficiency, Promote Electric System Reliability and Protect the Environment.

LD 1242 An Act To Dissolve the Anson Water District

**LEAVE TO
WITHDRAW**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| DUNPHY | | |

This bill dissolves the Anson Water District on September 1, 2014.

**LD 1243 An Act Regarding Next Generation 9-1-1 and Making Changes in
Surcharge Remittance for Certain Telecommunications Service
Providers**

PUBLIC 119

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|----------------------|-------------------------|---------------------------|
| HOBBINS CLEVELAND | OTP | |

This bill expands the scope of E-9-1-1 services to include emerging communications technologies. This bill changes the E-9-1-1 surcharge remittance period from monthly to quarterly for local exchange telephone utilities, cellular or wireless telecommunications service providers and interconnected voice over Internet protocol service providers whose average monthly surcharge remittance payment for the prior calendar year is less than \$5,000 and allows the Emergency Services Communication Bureau to expend funds on emerging communications technologies.

Enacted Law Summary

Public Law 2013, chapter 119 expands the scope of E-9-1-1 services to include emerging communications technologies. This law changes the E-9-1-1 surcharge remittance period from monthly to quarterly for local exchange telephone utilities, cellular or wireless telecommunications service providers and interconnected voice over Internet protocol service providers whose average monthly surcharge remittance payment for the prior calendar year is less than \$5,000 and allows the Emergency Services Communication Bureau to expend funds on emerging communications technologies.

**LD 1251 An Act To Lower Costs to Municipalities and Reduce Energy
Consumption through Increased Competition in the Municipal Street
Light Market**

INDEF PP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| NELSON MAZUREK | OTP-AM | H-472 |