

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

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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

LD 1293 An Act To Create the Presque Isle Utilities District

P & S 15

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|---------------------|-------------------------|---------------------------|
| WILLETTE SHERMAN | OTP-AM | H-458 |

This bill combines the Presque Isle Sewer District and the Presque Isle Water District to create the Presque Isle Utilities District.

Committee Amendment "A" (H-458)

This amendment clarifies that the Presque Isle Utilities District is authorized to conduct its business in a way that is consistent with applicable federal, state and local law. This amendment corrects cross-references and clarifies the transition provisions regarding the terms of trustees. This amendment gives explicit authority to the existing sewer district and water district to transfer their assets and liabilities to the new utilities district and makes it clear that the transfer of assets and liabilities of the water district must be approved by the Public Utilities Commission. This amendment requires legislation to be submitted to repeal the charters of the Presque Isle Sewer District and the Presque Isle Water District once they are dissolved for the purposes of creating the Presque Isle Utilities District.

Enacted Law Summary

Private and Special Law 2013, chapter 15 combines the Presque Isle Sewer District and the Presque Isle Water District to create the Presque Isle Utilities District and requires legislation to be submitted to repeal the charters of the Presque Isle Sewer District and the Presque Isle Water District once they are dissolved for the purposes of creating the Presque Isle Utilities District.

LD 1323 An Act Regarding Wind Power Siting in the Unorganized Territory

CARRIED OVER

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-----------------------------|---------------------------|
| HAYES | REF TO EUT/OTP-AM OTP-AM | |

This bill provides that before the Department of Environmental Protection may approve a proposal for a grid-scale wind energy development in the unorganized or deorganized area of the State, the Maine Land Use Planning Commission must certify that the area where the development will be located has been zoned for planned development and removes a legislative finding regarding wind energy development in the unorganized and deorganized areas of the State.

This bill was 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).

Committee Amendment "A" (H-549)

This amendment is the minority report of the committee and replaces the bill. It repeals the provision of law specifying that an expedited wind energy development is a use requiring a permit but not a special exception. It repeals the requirement that the Department of Agriculture, Conservation and Forestry, Maine Land Use Planning Commission make expedited wind energy development a use allowed with a permit in expedited permitting areas. The effect of the repeals is to require that, in order for a wind energy development in the unorganized or deorganized area of the State to receive a permit from the Department of Environmental Protection or the Maine Land Use Planning Commission, the development must be located in a subdistrict in which it is an allowed use. It also replaces a legislative finding regarding wind energy development in the unorganized and deorganized areas of

Joint Standing Committee on Energy, Utilities and Technology

the State and requires the Maine Land Use Planning Commission to amend its rules regarding allowed uses.

This amendment adds an appropriations and allocations section.

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 1325 *Resolve, To Place a Temporary Suspension on Permitting of Certain Expedited Grid-scale Wind Energy Developments*

**ACCEPTED
MAJORITY
(ONTP) REPORT**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| KAENRATH | ONTP OTP | |

This resolve establishes a temporary suspension on the expedited permitting of specified grid-scale wind energy developments and establishes the Panel to Review the Permitting of Expedited Wind Energy Development to review the recommendations of the report issued in March 2012 by the Governor's Office of Energy Independence and Security entitled "Maine Wind Energy Development Assessment: Report and Recommendations." The panel is directed to evaluate specifically the 25 separate recommendations contained in the report and to develop recommendations regarding implementation of each of the recommendations and to include in its report any recommendations to extend or terminate early the temporary suspension.

LD 1336 *An Act To Dissolve the Lisbon Water Department*

ONTP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| CRAFTS MASON G | ONTP | |

This bill dissolves the Lisbon Water Department.

The committee voted this bill ought-not-to-pass but carried over LD 1396, An Act to Create the Lisbon Water District and intends to include the concepts presented in this bill in its consideration of LD 1396.

LD 1342 *An Act To Authorize the Public Advocate To Mediate Disputes Related to Rates for Sewer Service*

**VETO
SUSTAINED**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| TREAT FLOOD | OTP-AM | H-352 |

This bill gives the Public Utilities Commission authority to investigate rate changes of sewer districts and sanitary districts, jointly referred to as "sewer utilities," if the commission receives a petition that meets certain criteria requesting it to do so. If the commission receives a valid petition, the rate must be suspended, investigated, reviewed and changed in accordance with the Maine Revised Statutes, Title 35-A, section 310. The bill includes a process for