

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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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.

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sewer utilities to challenge the validity of the petition. The bill gives the commission authority to adopt rules regarding rate regulation.

Committee Amendment "A" (H-352)

This amendment replaces the bill. It authorizes the Public Advocate to mediate between a sewer district and its customers with respect to a proposed rate change if 15% of the customers or 1,000 customers, whichever is less, petition the Public Advocate to mediate.

LD 1348 An Act To Encourage School Administrative Units To Increase Their Energy Savings

PUBLIC 366

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DORNEY	OTP-AM ONTP	H-353

This bill authorizes the Efficiency Maine Trust to develop an energy program targeted to kindergarten to grade 12 schools, including charter schools.

Committee Amendment "A" (H-353)

This amendment adds private schools to the list of the types of schools that may take advantage of the school energy savings program at the Efficiency Maine Trust. It expands the types of payments that the Efficiency Maine Trust may receive from schools, removes the rule-making requirement and clarifies that funds that may be available from the United States Department of Agriculture are for school districts with a population of less than 20,000 people.

Enacted Law Summary

Public Law 2013, chapter 366 directs the Efficiency Maine Trust, to the extent funds are available, to develop a program to provide energy savings improvements to kindergarten through grade 12 schools. The program may provide incentives and technical support for energy audits and provide financial assistance to schools, including, but not limited to, through loan programs.

LD 1375 An Act To Enhance Maine's Economy and Environment

ONTP

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

Part A of this bill repeals the Public Utilities Commission's authority to direct electric transmission and distribution utilities to enter into long-term contracts. It repeals the requirement that grid-scale wind energy developments provide tangible benefits to host communities and repeals the State's wind energy generation goals. It directs the Commissioner of Environmental Protection to develop protocols to accept public complaints related to wind energy developments and directs the Department of Environmental Protection to develop a process for a neutral party to conduct a public hearing on any wind energy development that generates significant public interest. The public hearing must be held before the department may approve an application or issue a permit related to a wind energy development. Part A includes provisions to decrease the visual impact of wind turbines at night. It also fixes cross-references.

Part B of this bill establishes a property value guarantee program to ensure that a landowner whose real property is located within 8 miles of the base of a wind turbine is compensated for any reduction in property value resulting from the proximity of the wind turbine. A wind energy development owner or operator is required to notify landowners within an 8-mile radius of a planned wind turbine of the property value guarantee program. Landowners

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may choose to enter into a property value guarantee agreement with the wind energy development owner or operator under which the wind energy development owner or operator must pay the difference in property value if the landowner's real property is sold within 10 years of entering into the agreement for less than the asking price that is either agreed to by the parties or determined by appraisal. A landowner who receives compensation for the location of the wind turbine directly from the wind energy development owner or operator is not eligible to participate in the program unless the wind energy development owner or operator waives the disqualification.

Part B of the bill requires sellers of residential real property to disclose to the purchasers whether the property to be sold is located within the State's expedited wind energy development permitting area or to provide information regarding an existing permit or a pending permit application for a grid-scale wind energy development within 8 miles of the property.

Part B of the bill provides a compensation provision for landowners whose property values have diminished due to the location of wind turbines permitted before the effective date of the new program.

**LD 1386 An Act To Allocate Net Revenue from Energy Corridor Leases on the ONTP
Maine Turnpike for Purposes of Energy and Environmental
Conservation**

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

Current law requires that net revenue from the lease of an energy corridor on the Maine Turnpike's right-of-way be deposited in the Efficiency Maine Trust. This bill instead requires 10% of the net revenue to be deposited in the Efficiency Maine Trust and requires the balance to be used by the Maine Turnpike Authority for environmental and energy conservation initiatives either for the Maine Turnpike or for the State's broader transportation sector in joint projects with the Department of Transportation as currently allowed for in the turnpike's enabling act.

The committee voted this bill ought-not-to-pass but addressed the issue of revenues derived from the use of state-owned land and assets for energy infrastructure development pursuant to the Maine Revised Statutes, Title 35-A, section 122 in committee bill LD 1559, An Act to Reduce Energy Costs, Increase Energy Efficiency, Promote Electric System Reliability and Protect the Environment.

LD 1396 An Act To Create the Lisbon Water District CARRIED OVER

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

This bill creates the Lisbon Water District.

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).