

# 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**  
126<sup>TH</sup> LEGISLATURE  
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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 bill was reported out of the Joint Standing Committee on Environment and Natural Resources during the First Regular Session of the 126th Legislature with a majority report to refer the bill to the Joint Standing Committee on Energy Utilities and Technology. The bill was referred to the Joint Standing Committee on Energy, Utilities and Technology and carried over from the First Regular Session of the 126th Legislature.

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.

### **Committee Amendment "A" (H-549)**

This amendment is the minority report of the Joint Standing Committee on Environment and Natural Resources during the First Regular Session of the 126th Legislature 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 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.

### **Committee Amendment "B" (H-601)**

This amendment is the minority report of the Joint Standing Committee on Energy, Utilities and Technology during the Second Regular Session of the 126th Legislature. This amendment adds an appropriations and allocations section. The amendment also changes the date by which the Maine Land Use Planning Commission needs to adopt rules from January 1, 2014 to January 1, 2015.

### **LD 1396 An Act To Create the Lisbon Water District**

ONTP

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

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

This bill creates the Lisbon Water District.

### **LD 1434 An Act To Clarify the Laws Governing Noise from Wind Turbines**

ONTP

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

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

This bill requires unregulated wind energy developments that buy and sell electricity to meet the same sound level