

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

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STATE OF MAINE
126TH 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 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

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

Joint Standing Committee on Energy, Utilities and Technology

standards that wind energy developments permitted under the Maine Revised Statutes, Title 38, chapter 3, subchapter 1, article 6 must meet.

LD 1479 An Act To Clarify Telecommunications Regulation Reform

PUBLIC 600

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM ONTP	H-740

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

1. Limits the amount of funds a provider of provider of last resort service can receive from the state universal service fund;
2. Establishes a procedure for the Public Utilities Commission to conduct an emergency rate case in response to a petition for a temporary increase in rates;
3. Provides that the Public Utilities Commission may not reassign the provider of last resort service obligation without the consent of the current service provider unless that provider is unable to provide the service in accordance with state law;
4. Provides that the rate charged to customers for provider of last resort service must be uniform throughout the State for a service provider, must be within two standard deviations of the national average and may not be set at a level that will jeopardize the receipt of federal funding to support telecommunications services;
5. Amends the section of law related to the assessment to fund the Public Utilities Commission and the Office of the Public Advocate to include all utilities that were included prior to the enactment of Public Law 2011, chapter 623. It expands the assessment to include a person that provides voice over Internet protocol service over facilities that it, or an affiliated company, owns or leases, regardless of whether that service provider paid the assessment prior to March 1, 2012.

This bill is reported out by the Joint Standing Committee on Energy, Utilities and Technology pursuant to Public Law 2011, chapter 623, Part A, section 25 and Part D, section 7. As required by law, the Public Utilities Commission submitted to the committee a report to create a framework for establishing rates for provider of last resort service and a report regarding assessments paid by voice service providers on January 15, 2013.

Committee Amendment "A" (H-740)

This amendment is the majority report of the Joint Standing Committee on Energy, Utilities and Technology. This amendment replaces the bill. This amendment amends the section of law related to the assessment to fund the Public Utilities Commission and the Office of the Public Advocate to include all utilities that were included prior to the enactment of Public Law 2011, chapter 623.

This amendment prohibits the commission from collecting funds until 90 days following the adjournment of the First Regular Session of the 127th Legislature for the purpose of disbursing funds from a state universal service fund to any company that operates more than 50,000 access lines in the State unless expressly authorized to do so by law after the effective date of this legislation.

This amendment requires the Public Utilities Commission to submit a report to the joint standing committee of the Legislature having jurisdiction over energy and utilities matters by January 7, 2015. In the report, the commission shall address various options for decreasing the cost of ensuring that there are adequate and affordable basic telephone service options throughout the State. The amendment gives the committee authority to report out a bill