

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

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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

Public Lands to fund the building of infrastructure for land management and public access opportunities;

3. In fiscal year 2013-14 allocates \$500,000 and in fiscal year 2014-15 allocates \$1,000,000 from the Public Reserved Lands Management Fund to the Department of Agriculture, Conservation and Forestry to fund a program, to be developed by the department, to provide funding assistance to the owners or occupants of residential buildings in this State to install high-efficiency, biomass-fueled, central heating systems or boilers as a primary heating source or to replace outdoor wood boilers that do not meet air quality standards established by the United States Environmental Protection Agency. Eligible systems under the program must have an efficiency rating of at least 80%;

4. Directs the Efficiency Maine Trust to establish a program to expand affordable residential heating options using funds allocated to the trust from the Public Reserved Lands Management Fund. The program must provide funding assistance for new heating system installations and improvements that will significantly reduce residential energy costs and greenhouse gas emissions, as determined by the trust. Consistent with the purposes of the program, the program must provide funding assistance to systems on a technology-neutral basis. In providing assistance under the program, the trust must consider tax or grant subsidies from the Federal Government. The trust may develop specific programs for regions of the State where options for home heating have the highest costs; and

5. Beginning in fiscal year 2015-16 and biennially thereafter requires the Director of the Division of Parks and Public Lands within the Department of Agriculture, Conservation and Forestry to determine the amount of funds needed to support the harvest of timber from the public reserved lands up to the sustainable yield on a year-to-year basis and to support land management and public access to public reserved lands. In fiscal year 2015-16, that amount must include \$450,000 to fund the building of infrastructure for land management and public access opportunities. Any funds in excess of that amount must be identified by the Department of Agriculture, Conservation and Forestry in the revenue estimated as available to be allocated to the Efficiency Maine Trust. The director also is directed to provide an annual report to the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs and the joint standing committee of the Legislature having jurisdiction over the Efficiency Maine Trust identifying the excess funds that may be allocated to the Efficiency Maine Trust.

Senate Amendment "A" (S-301)

This amendment replaces the bill. This amendment authorizes a General Fund bond issue to fund the High-efficiency Biomass Boiler Rebate Program to be administered by the Efficiency Maine Trust. The funds provided by this bond issue, in the amount of \$10,000,000, will be used to provide rebates through the Home Heating Conversion Fund for an owner or occupant of a building who installs a high-efficiency, biomass central heating system or boiler.

This bill was committed to the Joint Standing Committee on Appropriations and Financial Affairs and 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 1471

**An Act Authorizing the Board of Environmental Protection To Modify
a License for a Wind Energy Development**

ONTP

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

This bill ensures that reductions in the sound level limits adopted by rule by the Department of Environmental Protection for the routine operation of wind energy developments are applied to previously approved wind energy developments. This bill directs the Board of Environmental Protection to modify an existing license for a wind energy development to implement sound level standards that were adopted by rule subsequent to the approval of the

Joint Standing Committee on Energy, Utilities and Technology

wind energy development.

LD 1472 An Act To Provide for Economic Development with Offshore Wind Power and To Reduce Energy Costs, Increase Energy Efficiency, Promote Electric System Reliability and Protect the Environment

PUBLIC 378

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KRUGER CAIN	OTP-AM	H-525 S-321 YOUNGBLOOD

This bill adds offshore wind energy developments and associated manufacturing as a targeted technology for support from the Maine Technology Institute.

This bill adds offshore wind energy developments and associated manufacturing as an eligible project to receive financial assistance from the Finance Authority of Maine.

This bill provides for a \$5,000,000 tax credit for ownership of offshore wind energy developments. This bill directs the Public Utilities Commission to implement a portfolio requirement that will guarantee the sale of any energy generated by an offshore wind energy development when the cost of that energy is substantially equal to market value.

This bill directs the Public Utilities Commission to identify specific criteria for issuing a certificate of public convenience and necessity for an offshore wind energy development and to submit a bill to the Second Regular Session of the 126th Legislature to establish the criteria in statute.

Committee Amendment "A" (H-525)

This amendment removes the portions of the bill related to the Maine Technology Institute, the renewable portfolio standard and tax credits. It authorizes the Public Utilities Commission to issue a second solicitation for deep-water offshore wind projects under the provisions of Public Law 2009, chapter 615 if the original recipient of the contract does not move forward in development for any reason.

Senate Amendment "D" To Committee Amendment "A" (S-321)

This amendment requires the Public Utilities Commission to conduct a second round of competitive solicitation for deep-water offshore wind energy pilot projects and provides that the University of Maine deep-water offshore wind energy pilot project is eligible to apply for designation as a pilot project. This amendment requires that, in order to be included in the review of proposals, such additional proposals must be received before September 1, 2013, and that the commission make every effort to finalize a contract.

Enacted Law Summary

Public Law 2013, chapter 378 explicitly states that offshore wind energy developments and associated manufacturing projects are eligible to receive financial assistance from the Finance Authority of Maine.

This public law requires the Public Utilities Commission to conduct a second round of competitive solicitation for deep-water offshore wind energy pilot projects and provides that the University of Maine deep-water offshore wind energy pilot project is eligible to apply for designation as a pilot project. This amendment requires that, in order to be included in the review of proposals, such additional proposals must be received before September 1, 2013, and that the commission make every effort to finalize a contract.