

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

LD 1693 An Act To Amend the Anson and Madison Water District Charter

P & S 21

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUNPHY WHITTEMORE	OTP-AM	H-689

This bill allows the trustees of the Anson and Madison Water District the option of requesting that municipal officers of the town in which a vacancy of an unexpired term on the board of trustees occurs appoint a trustee to fill the vacancy, rather than holding a special election.

Committee Amendment "A" (H-689)

This amendment replaces the bill and allows the trustees of the Anson and Madison Water District, in the event of a vacancy on the board of trustees, to appoint a person who is recommended by the trustees of the district from the town in which the vacancy occurs to fill the vacancy until the next annual meeting of that town. As with the bill, the amendment also provides the trustees the option of calling a special election to fill a vacancy on the board.

Enacted Law Summary

Private and Special Law 2013, chapter 21 allows the trustees of the Anson and Madison Water District, in the event of a vacancy on the board of trustees, to appoint a person who is recommended by the trustees of the district from the town in which the vacancy occurs to fill the vacancy until the next annual meeting of that town. The law also provides the trustees the option of calling a special election to fill a vacancy on the board.

LD 1714 Resolve, To Study the Feasibility of Allowing Dispatchers To Transfer E-9-1-1 Calls to Emergency Responders in Other States

ONTP

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

This resolve directs the Department of Public Safety, with the assistance of the Public Utilities Commission, to convene a task force to study the feasibility of allowing E-9-1-1 dispatchers in the State to transfer emergency calls to emergency dispatchers in other states. The department is required to report the task force's recommendations and any necessary implementing legislation to the joint standing committee of the Legislature having jurisdiction over public safety matters by December 3, 2014.

LD 1750 An Act To Establish Submission Requirements for Wind Energy through Rulemaking

Veto Sustained

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ALFOND	OTP-AM ONTP	S-483 S-550 HILL

This bill amends the Maine Administrative Procedure Act by amending the definition of "rule" and requiring that every agency decision be based on the best evidence available to the agency. The bill also amends the laws governing expedited wind energy developments to provide that in determining the tangible benefits of an expedited wind energy development, the primary siting authority may not require the submission of evidence of the energy and emissions-related benefits or make specific findings related to energy and emissions-related benefits. Those benefits are presumed. The bill also provides that in determining whether a proposed expedited wind energy

Joint Standing Committee on Energy, Utilities and Technology

development will have an unreasonable adverse effect on scenic character or existing uses and whether an applicant must provide a visual impact assessment, the primary siting authority is required to consider the energy and emissions-related benefits of the expedited wind energy development, the policy objectives of the Maine Wind Energy Act and the energy, environmental and economic benefits associated with the expedited wind energy development.

Committee Amendment "A" (S-483)

This amendment is the majority report of the committee. It requires the Department of Environmental Protection to conduct routine technical rulemaking to establish the submission requirements for permit applications for wind energy developments. It directs the department to use the submission requirements that were established in accordance with Public Law 2007, chapter 661, Part B, section 13 until the rulemaking is completed. This amendment also adds an appropriations and allocations section.

Senate Amendment "A" To Committee Amendment "A" (S-550)

This amendment removes the appropriations and allocations section.

LD 1752 An Act To Preserve Certain Rights Granted to Maine Public Service Company before Its Merger with Bangor Hydro Electric Company P & S 25

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JACKSON T GIDEON	OTP-AM	S-429

This bill provides that any rights previously granted by private and special law to Maine Public Service Company or its predecessors are not lost as a result of the merger of the company and Bangor Hydro Electric Company if those rights were in existence at the time of the merger.

Committee Amendment "A" (S-429)

This amendment strikes and replaces the bill. This amendment provides that any rights previously granted by private and special law to Maine Public Service Company and any duties imposed by private and special law upon Maine Public Service Company are transferred to and assumed by Bangor Hydro Electric Company in the same manner and to the same extent as those rights and duties applied to Maine Public Service Company.

Enacted Law Summary

Private and Special Law 2013, chapter 25 provides that any rights previously granted by private and special law to Maine Public Service Company and any duties imposed by private and special law upon Maine Public Service Company are transferred to and assumed by Bangor Hydro Electric Company in the same manner and to the same extent as those rights and duties applied to Maine Public Service Company.

LD 1761 An Act To Ensure That Large Public Utility Reorganizations Advance the Economic Development and Information Access Goals of the State Veto Sustained

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HOBBINS JACKSON T	OTP-AM ONTP OTP-AM	H-772

This bill requires the Public Utilities Commission to approve a sale, merger, consolidation or reorganization involving a public utility with gross annual state revenues greater than \$50,000,000 only when it is satisfied that the proposal will advance the economic development and information access goals of the State, result in economic