

MAINE STATE LEGISLATURE

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STATE OF MAINE
127TH LEGISLATURE
FIRST REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed

**JOINT STANDING COMMITTEE ON ENERGY, UTILITIES
AND TECHNOLOGY**

August 2015

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STATE OF MAINE

127TH 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 127th 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. An appendix provides a summary of relevant session statistics.

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 127th Legislature is October 15, 2015. 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 amendment is the majority report of the committee. This amendment removes section 2 of the bill, which changes the process for the appointment of the Director of the Efficiency Maine Trust. This amendment also removes section 4 of the bill, which clarifies that the procurement cap is to apply to the total retail electricity supply and transmission and distribution sales in the State. Lastly, it specifies that Efficiency Maine Trust funds provided to fund the Maine Energy Office may only be used for office activities that support or are reasonably related to programs or activities of the Efficiency Maine Trust.

This amendment adds an appropriations and allocations section.

Committee Amendment "B" (H-387)

This amendment is the minority report of the committee. This amendment specifies that the Director of the Efficiency Maine Trust is to be appointed to a six-year term. This amendment removes the requirement that the director is to serve at the pleasure of the board. This amendment also maintains existing statutory language concerning the experience a director must possess and adds "or relevant energy-related experience" to the required experience for the position.

This amendment also strikes section 4 of the bill, which clarifies that the procurement cap is to apply to the total retail electricity supply and transmission and distribution sales in the State.

This amendment also adds an appropriations and allocations section.

LD 1223

An Act To Revise the Charter of the Kennebunk Sewer District

**P & S 9
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUNPHY L WOODSOME	OTP-AM	H-341

This bill revises the Kennebunk Sewer District charter to conform to the Maine Revised Statutes, Title 38, chapter 10 and make minor changes and updates.

Committee Amendment "A" (H-341)

This amendment makes the following changes to the bill.

1. It clarifies that the costs of locating and constructing sewer facilities outside the boundaries of the Kennebunk Sewer District for Maine Regional School Unit 21 or the Town of Kennebunk are not the responsibility of the district and removes language stating that those costs are borne entirely by the unit or the town.
2. It specifies that notice of unpaid rates prior to commencing a foreclosure proceeding may be delivered by giving the notice to the owner of the real estate served or by sending the notice by certified mail, return receipt requested, to the owner's last known address or, only upon exhausting these two options, by leaving the notice at the owner's last and usual place of abode.
3. It changes the number of days after which a debt may be incurred following a special district meeting from seven to 28.
4. It removes "but not fewer than 50" in reference to the number of signatures needed on a petition to call a special election regarding the district's incurring debt.
5. It changes the date by which a referendum must be called regarding the changes to the district's charter from January 1, 2016 to January 1, 2018.

Joint Standing Committee on Energy, Utilities and Technology

Enacted Law Summary

Private and Special Law 2015, chapter 9 revises the Kennebunk Sewer District charter to conform to the Maine Revised Statutes, Title 38, chapter 10 and make minor changes and updates. It also clarifies that the costs of locating and constructing sewer facilities outside the boundaries of the Kennebunk Sewer District for Maine Regional School Unit 21 or the Town of Kennebunk are not the responsibility of the district and removes language from the charter stating that those costs are borne entirely by the unit or the town. Lastly, the law also specifies that notice of unpaid rates prior to commencing a foreclosure proceeding may be delivered by giving the notice to the owner of the real estate served or by sending the notice by certified mail, return receipt requested, to the owner's last known address or, only upon exhausting these two options, by leaving the notice at the owner's last and usual place of abode.

Private and Special Law 2015, chapter 9 was enacted as an emergency measure effective June 15, 2015.

LD 1231 An Act To Create the Southwest Harbor Water and Sewer District

P & S 11

Sponsor(s)
LANGLEY

Committee Report
OTP-AM

Amendments Adopted
S-185

This bill provides for the creation of the Southwest Harbor Water and Sewer District and the transfer of all water and sewer assets of the Town of Southwest Harbor to the new district.

Committee Amendment "A" (S-185)

This amendment makes minor changes to language in the bill. This amendment makes consent of the Board of Selectmen of the Town of Southwest Harbor required prior to the exercise by the Southwest Harbor Water and Sewer District of the rights of eminent domain. This amendment provides that one of the trustees of the district must be the town manager of the Town of Southwest Harbor. This amendment also provides a process if the town manager position becomes vacant, which allows either the acting town manager to serve as a trustee or, in the absence of an acting town manager, the Board of Selectmen of the Town of Southwest Harbor to appoint a resident of the Town of Southwest Harbor as a trustee until the town manager position is filled. This amendment also requires the board of selectmen to determine the terms of the two appointed trustees, for the first board only. This amendment requires that notice be filed with the Office of the Secretary of State, instead of a certificate of dissolution, stating that all sewer and water assets of the municipality and all debt and liabilities of the water and sewer departments of the Town of Southwest Harbor have been transferred to the district. This amendment strikes the provision of the bill regarding the debt responsibility of the Town of Southwest Harbor.

Enacted Law Summary

Private and Special Law 2015, chapter 11 provides for the creation of the Southwest Harbor Water and Sewer District and the transfers of all water and sewer assets of the Town of Southwest Harbor to the new district.

LD 1245 An Act To Preserve the Efficiency of Transportation Maintenance and Construction Activities

PUBLIC 177

Sponsor(s)
COLLINS
MCLEAN

Committee Report
OTP-AM

Amendments Adopted
S-122

This bill provides an exemption from the Overhead High-voltage Line Safety Act to an employee or independent contractor engaged on behalf of a municipality or state agency to maintain or install traffic signals, traffic beacons,