

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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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.

<i>CARRIED OVER</i>	<i>carried over to a subsequent session of the Legislature</i>
<i>CON RES XXX</i>	<i>chapter # of constitutional resolution passed by both houses</i>
<i>CONF CMTE UNABLE TO AGREE</i>	<i>Committee of Conference unable to agree; legislation died</i>
<i>DIED BETWEEN HOUSES</i>	<i>House & Senate disagreed; legislation died</i>
<i>DIED IN CONCURRENCE</i>	<i>defeated in each house, but on different motions; legislation died</i>
<i>DIED ON ADJOURNMENT</i>	<i>action incomplete when session ended; legislation died</i>
<i>EMERGENCY</i>	<i>enacted law takes effect sooner than 90 days after session adjournment</i>
<i>FAILED, EMERGENCY ENACTMENT or FINAL PASSAGE</i>	<i>emergency failed to receive required 2/3 vote</i>
<i>FAILED, ENACTMENT or FINAL PASSAGE</i>	<i>failed to receive final majority vote</i>
<i>FAILED, MANDATE ENACTMENT</i>	<i>legislation proposing local mandate failed required 2/3 vote</i>
<i>HELD BY GOVERNOR</i>	<i>Governor has not signed; final disposition to be determined at subsequent session</i>
<i>LEAVE TO WITHDRAW</i>	<i>sponsor's request to withdraw legislation granted</i>
<i>NOT PROPERLY BEFORE THE BODY</i>	<i>ruled out of order by the presiding officer; legislation died</i>
<i>INDEF PP</i>	<i>indefinitely postponed; legislation died</i>
<i>ONTP, ACCEPTED, MAJORITY, MINORITY or REPORT X</i>	<i>ought-not-to-pass report accepted; legislation died</i>
<i>P&S XXX</i>	<i>chapter # of enacted private & special law</i>
<i>PUBLIC XXX</i>	<i>chapter # of enacted public law</i>
<i>RESOLVE XXX</i>	<i>chapter # of finally passed resolve</i>
<i>VETO SUSTAINED</i>	<i>Legislature failed to override Governor's veto</i>

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

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,

Joint Standing Committee on Energy, Utilities and Technology

dynamic signs or luminaires within 10 feet of overhead high-voltage lines.

Committee Amendment "A" (S-122)

This amendment provides that traffic lighting is considered covered equipment under the Overhead High-voltage Line Safety Act, and it defines "traffic lighting." This amendment provides that state agencies, quasi-independent state agencies and municipalities are exempt from the provisions of the Maine Revised Statutes, Title 35-A, sections 756 and 757 for the installation or maintenance of traffic lighting as long as the person performing the installation or maintenance has met applicable training certification or licensing requirements for performing the installation or maintenance and the installation or maintenance is performed in accordance with all applicable federal, state and local laws, regulations, safety codes and ordinances and any other applicable safety requirements. The amendment also requires a municipality or a contractor working for a municipality to maintain the minimum insurance requirements specified by the Department of Transportation.

Enacted Law Summary

Public Law 2015, chapter 177 provides that traffic lighting is considered covered equipment under the Overhead High-voltage Line Safety Act, and it defines "traffic lighting." It provides that state agencies, quasi-independent state agencies and municipalities are exempt from the provisions of the Maine Revised Statutes, Title 35-A, sections 756 and 757 for the installation or maintenance of traffic lighting as long as the person performing the installation or maintenance has met applicable training certification or licensing requirements for performing the installation or maintenance and the installation or maintenance is performed in accordance with all applicable federal, state and local laws, regulations, safety codes and ordinances and any other applicable safety requirements. It also requires a municipality or a contractor working for a municipality to maintain the minimum insurance requirements specified by the Department of Transportation.

LD 1255 An Act To Improve Rural Utility Service through the Use of Microgrids ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CAMPBELL R DILL	ONTP	

This bill creates a new chapter in the laws concerning public utilities for microgrids and defines what constitutes a microgrid. It provides the Public Utilities Commission the authority to adopt major substantive rules to regulate the creation and operation of microgrids.

LD 1256 An Act To Improve the Safety and Survival of 9-1-1 Callers and First Responders PUBLIC 230

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BEAVERS WOODSOME	OTP-AM	H-268

This bill allows the Public Utilities Commission, Emergency Services Communication Bureau to provide selected public safety answering points with assistance in the voluntary adoption and implementation of standardized dispatch protocols, which includes dispatcher training and certification consistent with the protocols, necessary software and printed support materials and a continuous quality improvement program that measures compliance with the protocols through ongoing random case review of each police and fire dispatcher. Funding is provided by allowing up to five cents of each statewide E-9-1-1 surcharge collected to be used by the bureau.

The bill directs the bureau to adopt routine technical rules that contain criteria to determine how to allocate resources among public safety answering points if more public safety answering points seek to adopt and implement