

MAINE STATE LEGISLATURE

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STATE OF MAINE
131ST LEGISLATURE
SECOND REGULAR SESSION



Disposition of bills and summaries of all laws enacted or finally passed

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

June 2024

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STATE OF MAINE

131ST LEGISLATURE
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LEGISLATIVE DIGEST OF BILLS AND SUMMARIES OF ENACTED LAWS

This *Legislative Digest of Bills and Summaries of Enacted Laws* provides the disposition of all LDs and summaries of all laws enacted or finally passed during the Second Regular Session of the 131st Maine Legislature. Please note that all LDs and proposed amendments may be found through the Legislature's webpage, and each includes a summary of what the bill or amendment proposed.

The *Legislative Digest of Bills and Summaries of Enacted Laws* is arranged alphabetically by committee. Within each committee section is a subject index of all LDs considered by that committee as well as a digest of the LDs, arranged by LD number. Also included are enacted law summaries of the LDs enacted or finally passed. Brief analyst notes on certain LDs are also included: a committee digest will indicate if additional notes are provided for an LD. These notes add information staff found useful and may provide useful information to users of this *Digest*; please note that most LDs do not have a note and lack of a note should not be interpreted as having any significance. A separate section of the *Digest* provides a digest of the relatively few LDs that were not referred to a committee or reported from a committee as a committee bill; enacted law summaries of the LDs enacted or finally passed are provided. Finally, an appendix provides a summary of relevant session statistics.

The final disposition of each LD is noted in the relevant summary digest and index. 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 Second Regular Session of the 131st Legislature is Friday, August 9, 2024. The effective date for legislation enacted as an emergency measure may be found in the enacted law summary for that legislation.

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11. It provides that a violation of the Maine Revised Statutes, Title 30-A, section 3008 is a violation of the Maine Unfair Trade Practices Act.
12. It establishes dispute resolution options for disputes that arise between a franchising municipality and a video service provider over their respective obligations under a franchise contract or agreement.
13. It clarifies that the consumer protection provisions in law currently available to consumers with respect to cable television service apply to the services provided by video service providers.

LD 2067 An Act to Continue the Arrearage Management Program for Low-income Residential Electricity Customers

ENACTED LAW SUMMARY

Public Law 2023, chapter 534 extends the repeal date for the arrearage management program from September 30, 2024 to September 30, 2028. It also changes the requirements for the Public Utilities Commission's report on the effectiveness of the arrearage management program and changes the reporting date to no later than January 28, 2028.

Public Law 2023, chapter 534 was enacted as an emergency measure effective March 14, 2024.

LD 2087 An Act to Protect Property Owners by Making Certain Changes to the Laws Governing the Use of Eminent Domain by Transmission and Distribution Utilities

ENACTED LAW SUMMARY

Public Law 2023, chapter 644 does the following.

1. It requires the Department of Agriculture, Conservation and Forestry, Bureau of Parks and Lands to adopt rules pursuant to the Maine Revised Statutes, Title 12, section 598-C to provide, in the case of a high-impact electric transmission line crossing or utilizing a rail trail or recreational corridor or land of similar configuration designated under Title 12, chapter 202-A, criteria for determining that the high-impact transmission line would not cause the land to be reduced or the uses of the land to be substantially altered.
1. It defines the term “service land” and excepts those lands from the provision of law that considers a high-impact electric transmission line crossing or utilizing public lands a substantial alteration.
2. It defines a “high-impact transmission line” and prohibits the Public Utilities Commission from approving a transmission and distribution utility’s taking of a location for a high-impact electric transmission line by eminent domain if the location is on a lot or parcel of real property that is 200 contiguous acres or less and the transmission and distribution utility seeks to take

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less than the entire property, unless the transmission and distribution utility demonstrates that, in its negotiations with the owner of the property for a voluntary acquisition of the location, it made both an offer for the entire property and an offer for just the location.

3. It clarifies the provisions of law that apply to the determination of damages for property taken by eminent domain for the construction, rebuilding or relocation of a transmission line designed to carry voltages of 5,000 volts or more and of necessary appurtenances.
4. If a location approved by the commission for a taking by eminent domain for a high-impact electric transmission line is on a lot or parcel of real property that is 200 contiguous acres or less and the transmission and distribution utility seeks to take less than the entire property, it requires the county commissioners' estimate of damages to include two estimates, one for the entire property in fee simple absolute and one for the portion of the property approved for a taking. The owner of the property has the option to require the transmission and distribution utility to take the entire property and, if the owner elects to require the transmission and distribution utility to take the entire property, the commission must approve the taking of the entire property.
5. It requires the commission to adopt rules regarding notice and educational materials that must be sent by certified mail to an owner of real property whose property may be taken by eminent domain for the construction, rebuilding or relocation of a high-impact electric transmission line, as well as to an owner whose property abuts the proposed high-impact electric transmission line, by an entity selected to construct a high-impact electric transmission line pursuant to Title 35-A, section 3210-I, subsection 2, or a transmission and distribution utility.
6. It establishes the circumstances under which a property owner's fees and expenses associated with seeking an award of damages for property taken by eminent domain must be paid by a transmission and distribution utility.
7. It prohibits the Department of Environmental Protection and the Board of Environmental Protection from issuing an order without a hearing for a development of a high-impact electric transmission line of state or regional significance that may substantially affect the environment. It also requires the department to require an applicant for such development to demonstrate to the department that the applicant conducted one or more public meetings regarding the transmission line prior to the submission of any application to the department.

Public Law 2023, chapter 644 was enacted as an emergency measure effective April 22, 2024.

LD 2099 An Act to Make Changes to Certain Laws Governing Renewable Energy Projects

ENACTED LAW SUMMARY

Public Law 2023, chapter 533 modifies the Distributed Solar and Energy Storage Program established within the Governor's Energy Office to define a "combined project" for the purposes of the program and provides that the Governor's Energy Office may petition the Public Utilities