

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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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

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Commission to procure energy, capacity or renewable energy credits in accordance with the Maine Revised Statutes, Title 35-A, section 3803 from distributed solar facilities or combined projects that receive federal funding pursuant to the program. It provides that the commission may not direct a transmission and distribution utility to enter into a long-term contract for energy, capacity or renewable energy credits under the program unless the commission finds that the contract will benefit ratepayers and the procurement is in accordance with Title 35-A, section 3804.

Public Law 2023, chapter 533 also authorizes the Department of Labor to adopt routine technical rules relating to the Maine emerging industry compensation threshold in the laws governing the State's offshore wind initiative.

LD 2104 An Act to Amend the Charter of the Wiscasset Water District

ENACTED LAW SUMMARY

Private and Special Law 2023, chapter 22 makes the following changes to the charter of the Wiscasset Water District.

1. It includes the Town of Edgecomb in the Wiscasset Water District subject to a referendum vote in the Town of Wiscasset and the Town of Edgecomb.
2. It authorizes the district to supply water to existing customers in the Town of Woolwich.
3. It authorizes the district to contract with the Town of Wiscasset for the management, oversight, operations and billing related to the functions of the Wiscasset Wastewater Department.
4. It amends the provisions of the charter governing trustees of the district to include a trustee who is a legal voter of the Town of Edgecomb and includes transition language to identify which trustee position is to be filled by a legal voter of the Town of Edgecomb and how a vacancy prior to the first election of a legal voter of the Town of Edgecomb must be filled.

LD 2163 An Act to Require Consumer Consent for Certain Generation Service Contract Renewals

ENACTED LAW SUMMARY

Public Law 2023, chapter 636 does the following.

1. It provides that a competitive electricity provider may not renew a contract for generation service without the express consent of the residential consumer if the renewal rate is a fixed rate that is 20% or more above the contract rate in the expiring contract or greater than the fixed rate that would, at the time of the consumer's renewal, be offered by the competitive electricity provider to customers enrolling with the provider for an initial contract of a similar term and product offering.