



129th MAINE LEGISLATURE

FIRST REGULAR SESSION-2019

Legislative Document

No. 1363

H.P. 985

House of Representatives, March 21, 2019

An Act Regarding Energy Transmission Corridors

(EMERGENCY)

Reference to the Committee on Energy, Utilities and Technology suggested and ordered printed.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative BERRY of Bowdoinham.
Cosponsored by Senator FARRIN of Somerset and
Representatives: GRIGNON of Athens, GROHOSKI of Ellsworth, KESCHL of Belgrade,
KESSLER of South Portland, RILEY of Jay, Senators: MIRAMANT of Knox, WOODSOME
of York.

1 **Emergency preamble. Whereas,** acts and resolves of the Legislature do not
2 become effective until 90 days after adjournment unless enacted as emergencies; and

3 **Whereas,** a proposal for a high-impact electric transmission line is currently
4 pending and appropriate standards for review and approval must be in place to ensure the
5 public convenience for the line; and

6 **Whereas,** in the judgment of the Legislature, these facts create an emergency within
7 the meaning of the Constitution of Maine and require the following legislation as
8 immediately necessary for the preservation of the public peace, health and safety; now,
9 therefore,

10 **Be it enacted by the People of the State of Maine as follows:**

11 **Sec. 1. 35-A MRSA §3131, sub-§4-A,** as enacted by PL 2009, c. 655, Pt. A, §3,
12 is amended to read:

13 **4-A. High-impact electric transmission line.** "High-impact electric transmission
14 line" means a transmission line greater than 50 miles in length ~~that is not located in a~~
15 ~~statutory corridor, as defined in section 122, subsection 1, paragraph F-4, or a petitioned~~
16 ~~corridor, as defined in section 122, subsection 1, paragraph D-1, and that is:~~

17 A. Constructed to transmit direct current electricity; or

18 B. Capable of operating at 345 kilovolts or more and:

19 (1) Is not a generator interconnection transmission facility as defined in section
20 3132, subsection 1-B; and

21 (2) Is not constructed primarily to provide electric reliability, as determined by
22 the commission.

23 **Sec. 2. 35-A MRSA §3132, sub-§6-A,** as enacted by PL 2009, c. 655, Pt. A, §5,
24 is amended to read:

25 **6-A. High-impact electric transmission line; certificate of public convenience**
26 **and necessity.** The commission shall evaluate and render a decision on any petition for a
27 certificate of public convenience and necessity for a high-impact electric transmission
28 line in accordance with section 122, subsection 1-D this subsection. Before issuing a
29 certificate, the commission must find that:

30 A. Significant tangible public benefits will result from the construction and use of
31 the line and that the State and at least 2 municipalities through which the high-impact
32 electric transmission line will pass will receive some portion of those significant
33 tangible public benefits; and

34 B. All municipalities through which the high-impact electric transmission line will
35 pass have held a local referendum, conducted in accordance with the law relating to
36 municipal elections, and certified to the commission that a majority of the voters
37 voting at the election voted in favor of a question that conforms to the following
38 form: "Do you favor the construction of the (insert name or description of the high-

1 of the Second Regular Session of the 129th Legislature to allow time for the commission,
2 in consultation with the Department of Environmental Protection, to adopt rules
3 necessary to implement the requirements of the legislation.