



# 129th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2019

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Legislative Document

No. 1363

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H.P. 985

House of Representatives, March 21, 2019

### An Act Regarding Energy Transmission Corridors

(EMERGENCY)

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

A handwritten signature in black ink 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.