

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
128<sup>TH</sup> LEGISLATURE  
FIRST SPECIAL, SECOND REGULAR AND SECOND SPECIAL SESSIONS



Summaries of bills, adopted amendments and laws enacted or finally passed

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

October 2018

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# STATE OF MAINE

128<sup>TH</sup> LEGISLATURE

FIRST SPECIAL, SECOND REGULAR AND SECOND SPECIAL SESSIONS



## LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* contain summaries of all LDs and adopted amendments and all laws enacted or finally passed during the First Special, Second Regular and Second Special Sessions of the 128<sup>th</sup> 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.

*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 dates for non-emergency legislation enacted in the First Special, Second Regular or Second Special Sessions of the 128<sup>th</sup> Legislature are: Monday, February 5, 2018; Wednesday, August 1, 2018; and Thursday, December 13, 2018, respectively. 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***

adhere to the limitations regarding the inappropriate use, sale or disclosure of or access to customer personal information for the duration of the contract.

It prohibits the ConnectME Authority from providing any grant funding to a provider of broadband Internet access service that engages in the inappropriate use, sale or disclosure of or access to customer personal information. It requires that a provider that receives grant funding from the ConnectME Authority must adhere to the limitations regarding the inappropriate use, sale or disclosure of or access to customer personal information for five years from the date grant funding is received.

Lastly, it directs the Office of the Attorney General to submit a report by January 15, 2019, to the joint standing committee of the Legislature having jurisdiction over utilities and technology matters related to the State's ability to ensure that providers of broadband Internet access service are adhering to net neutrality principles.

**LD 1632 An Act To Establish the Manufacturing Jobs Energy Program**

**ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DILL J STANLEY S	ONTP	

This bill was carried over from the First Regular Session to the Second Regular Session of the 128th Legislature.

This bill establishes the manufacturing jobs energy program to encourage growth of forest products and wood manufacturing jobs tied to installed megawatt capacity from new renewable energy from combined heat and power, including biomass energy from manufacturing residues. The program is administered by the Public Utilities Commission.

**LD 1671 An Act To Create a Grant Program To Assist with Dispatch Center Consolidation**

**PUBLIC 428**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WOODSOME D BERRY S	ONTP OTP-AM	S-436 H-801 BERRY S

This bill was carried over from the First Regular Session of the 128th Legislature. It was reported out of committee and subsequently died in non-concurrence during the Second Regular Session. In the Second Special Session it was recalled from the Legislative files.

This bill requires the Public Utilities Commission to establish the statewide E-9-1-1 surcharge and the prepaid wireless E-9-1-1 surcharge, but limits the surcharges to no more than 45¢ per month per line or number for the statewide E-9-1-1 surcharge and 45¢ per retail transaction for the prepaid wireless E-9-1-1 surcharge, which is the same amount as in the current law.

**Committee Amendment "A" (S-436)**

This amendment is the minority report of the committee and replaces the bill. It reduces, starting October 1, 2018, the statewide E-9-1-1 surcharge and the statewide prepaid wireless telecommunications service E-9-1-1 surcharge to 40¢. It also requires the Public Utilities Commission, Emergency Services Communication Bureau to use up to \$1,000,000 from the statewide E-9-1-1 surcharge and the statewide prepaid wireless telecommunications service E-9-1-1 surcharge to provide grants to support the consolidation of dispatch centers into existing public safety answering points. It requires the Emergency Services Communication Bureau to adopt routine technical rules to establish the application process and allowable uses for grants.

**Joint Standing Committee on Energy, Utilities and Technology**

This amendment also adds an allocation of \$1,000,000 for the grants.

**House Amendment "A" To Committee Amendment "A" (H-801)**

This amendment removes the E-9-1-1 surcharge reductions contained in Committee Amendment "A."

**Enacted Law Summary**

Public Law 2017, chapter 428 requires the Public Utilities Commission, Emergency Services Communication Bureau to use up to \$1,000,000 from the statewide E-9-1-1 surcharge and the statewide prepaid wireless telecommunications service E-9-1-1 surcharge to provide grants to support the consolidation of dispatch centers into existing public safety answering points. It requires the Emergency Services Communication Bureau to adopt routine technical rules to establish the application process and allowable uses for grants.

**LD 1686      An Act To Amend the Laws Regarding Distributed Energy Generation      ONTP  
and To Eliminate Gross Metering**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAVIELLO T	ONTP	

This bill requires a net energy billing customer that applies for a net energy billing arrangement after April 30, 2018, but before May 1, 2019, to receive 90% of the excess energy generation from an eligible facility to be applied against the customer's transmission and distribution bill, a customer that applies for a net energy billing arrangement after April 30, 2019, but before May 1, 2020, to receive 80% of the excess energy generation from an eligible facility to be applied against the customer's transmission and distribution bill and a customer that applies for a net energy billing arrangement after April 30, 2020, but before May 1, 2021, to receive 70% of the excess energy generation from an eligible facility to be applied against the customer's transmission and distribution bill. It requires that in each 12-month period after April 30, 2021, the percentage of an eligible customer's excess energy generation that applies to that customer's transmission and distribution bill be reduced by no more than 10% and that any reduction applies only to customers that apply for a net energy billing arrangement in that 12-month period.

It specifies that an eligible customer that applies for a net energy billing arrangement before May 1, 2018, may continue with the net energy billing arrangement until April 30, 2033, and that an eligible customer that applies for a net energy billing arrangement after April 30, 2018, may continue with that net energy billing arrangement until April 30th of the calendar year that is 15 years from the year in which the customer applied for the net energy billing arrangement.

This bill prohibits a transmission and distribution utility from requiring a customer to meter the gross output of an eligible facility in order to participate in net energy billing. It limits to 50 the number of eligible customers that may participate in a single shared interest in an eligible facility or the number of meters associated with a single shared interest, except in the service territory of a transmission and distribution utility located in an area administered by the independent system administrator for northern Maine. It requires the Public Utilities Commission to amend its current net energy billing rules before January 1, 2019, to be consistent with the Maine Revised Statutes, Title 35-A, section 3209-A.

This bill also requires the Public Utilities Commission to submit a report by January 1, 2020, that includes recommendations on how to transition from net energy billing to time-of-use rates, market-based rates or other rate design options. In its report, the commission must include information regarding an analysis of costs and benefits of net energy billing as well as how those costs and benefits compare to any recommendations the commission makes in this report.