

MAINE STATE LEGISLATURE

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STATE OF MAINE
128TH 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

128TH 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 128th 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 128th 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

**LD 1690 An Act To Facilitate Wireless Broadband Deployment in Maine and
Modify the Process for Issuing Utility Facility Location Permits**

**Accepted Majority
(ONTP) Report**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WADSWORTH N WOODSOME D	ONTP OTP	

This bill changes the process for siting small cell facilities in order to facilitate wireless broadband deployment, including:

1. Through modifications to the process for issuing utility facility location permits, including small cell facility location permits;
2. Through the establishment of standards governing local land use ordinances applicable to the siting of small cell facilities; and
3. Through the establishment of standards governing the collocation of small cell facilities on poles owned by the State, an agency, a county, a municipality or a district.

**LD 1699 An Act To Revise the Renewable Portfolio Standard Laws To Allow
Certain Hydropower Facilities To Qualify as New Renewable Capacity
Resources**

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RYKERSON D KEIM L	ONTP	

This bill allows a hydropower facility licensed after January 1, 2018, with a licensed capacity of no more than 30 megawatts that is interconnected with an electric distribution system located in Maine to qualify as a new renewable capacity resource for purposes of meeting renewable energy portfolio standard requirements.

**LD 1700 An Act To Protect Maine Residents and Businesses from Rising
Electricity Costs**

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BERRY S WOODSOME D	ONTP	

This bill is a concept draft pursuant to Joint Rule 208.

This bill proposes to establish a task force to examine the cost of the delivery of electricity to homes and businesses in this State and the factors that may cause this cost to rise, including, but not limited to, requests by electric utilities for rate increases, the recovery of costs incurred by electric utilities for recent storm restoration efforts and the possibility that ratepayers in this State may be required to pay a portion of the cost for new transmission lines to meet the demand for power in Massachusetts.

The task force would include among its members representatives of consumers, producers, electric utilities, the Governor's Energy Office, the Public Utilities Commission, the Office of the Public Advocate and legislators. The task force would report its findings, including a proactive and comprehensive approach to protect residents and

Joint Standing Committee on Energy, Utilities and Technology

businesses in this State from rising electricity costs, to the Governor and the Legislature.

LD 1701 An Act To Improve the Energy Efficiency of Group Homes in the Northern Part of the State ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
STANLEY S JACKSON T	ONTP	

This bill provides that money in certain funds established in the Efficiency Maine Trust Act may be used to improve energy efficiency in group homes for persons with intellectual disabilities in Aroostook County. These expenditures are limited to \$3,500 per group home.

LD 1702 An Act To Allow Certain Hydropower Facilities To Sell Electricity Directly to Rural Manufacturing and Industrial Sites ONTP

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

This bill allows the owner of certain hydropower facilities to offer for sale to the owner or tenant of a rural manufacturing or industrial site electricity generated by those hydropower facilities that is not under contract to be sold to another entity.

LD 1729 An Act To Restore Confidence in Utility Billing Systems PUBLIC 448 EMERGENCY

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KEIM L BERRY S	OTP-AM ONTP	S-467 S-505 KEIM L

This bill was reported out of committee during the Second Regular Session of the Legislature. It was carried over to the next special session of the 128th Legislature by joint order S.P. 748.

This bill establishes requirements relating to so-called electric service drops constructed by customers of large electric transmission and distribution utilities. The bill requires a utility to reimburse a customer for an aboveground or underground customer-constructed service drop at the customer's request, but limits the price to be paid to the cost the utility would have expended to construct an aboveground service drop.

Committee Amendment "A" (S-467)

This amendment, which is the majority report of the committee, strikes the bill and replaces it with the following.

1. It allows the Public Utilities Commission to fairly allocate the costs between ratepayers and shareholders of an investor-owned public utility when an audit of an investor-owned public utility contributes to a commission finding of imprudence that results in a cost disallowance.
2. It directs the Public Utilities Commission to adopt major substantive rules regarding the testing of a transmission and distribution utility's metering and billing systems by a transmission and distribution utility.
3. It directs the Public Utilities Commission to consider whether the rules include provisions related to periodic,