

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**

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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

6. It provides that the provision of law that authorizes the Public Utilities Commission to allocate the cost of a management audit to ratepayers or shareholders of an investor-owned public utility applies to a management audit concluded at any time after the effective date of the legislation.

Public Law 2017, chapter 448 was enacted as an emergency measure effective July 9, 2018.

LD 1732 An Act To Protect Maine Citizens from an Out-of-state Entity's Misleading Use of In-state Telephone Numbers ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LANGLEY B VACHON K	ONTP	

This bill prohibits a voice service provider from renting or selling telephone numbers with Maine area codes to a person unless that person has a sufficient physical presence in the State. It requires the Public Utilities Commission to adopt implementing rules.

LD 1741 Resolve, Establishing the Commission To Study the Economic, Environmental and Energy Benefits of Energy Storage to the Maine Electricity Industry Died On Adjournment

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
THIBODEAU M GIDEON S	OTP-AM ONTP	S-373 S-402 WOODSOME D

This resolve was reported out of committee in the Second Regular Session and carried over on the Study Table to the next special session by joint order S.P. 748.

This resolve establishes the Commission To Study the Economic, Environmental and Energy Benefits of Energy Storage to the Maine Electricity Industry.

Committee Amendment "A" (S-373)

This amendment is the majority report of the committee. It removes from the membership of the Commission To Study the Economic, Environmental and Energy Benefits of Energy Storage to the Maine Electricity Industry representatives from small-scale and large-scale battery energy storage system owners and adds representatives from small-scale and large-scale energy storage system owners. It removes certain language regarding invited staff support.

Senate Amendment "A" (S-402)

This amendment removes the emergency preamble and emergency clause from the resolve.

LD 1745 An Act To Establish the Wood Energy Program Veto Sustained

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JACKSON T STANLEY S	OTP-AM ONTP	S-464

Joint Standing Committee on Energy, Utilities and Technology

This bill contains legislative findings regarding the failure of Stored Solar, LLC to achieve in-state economic benefits and to continually operate its biomass resource facilities at least at 50% capacity except for planned and forced outages as required by law and contract.

This bill prohibits the Public Utilities Commission from providing any funds from the cost recovery fund to pay the above-market costs for energy supplied from the biomass resources of Stored Solar, LLC pursuant to a contract entered into between Central Maine Power Company and Stored Solar, LLC. It requires the commission to distribute funds from the cost recovery fund that are designated for Stored Solar, LLC to contractors that have not received payment for services provided to Stored Solar, LLC to run its biomass resource facilities in Jonesboro and West Enfield. It requires the commission to direct a transmission and distribution utility to enter into a contract for no more than 40 megawatts of biomass resources with a biomass facility that serves the ISO-NE region and that was the next-highest conforming bid after Stored Solar, LLC in a competitive solicitation issued by the Public Utilities Commission on June 17, 2016. It requires the above-market costs of the contract to be paid from any funds remaining in the cost recovery fund after payments are made to contractors and subject to meeting contract terms.

This bill requires the Public Utilities Commission to request that the Attorney General investigate Stored Solar, LLC and institute any proceedings against Stored Solar, LLC to recover from Stored Solar, LLC an amount equal to the amount of those funds distributed to contractors by the commission pursuant to this legislation. It specifies that any money recovered by the Attorney General must be transferred to the Maine Budget Stabilization Fund established under the Maine Revised Statutes, Title 5, section 1532.

Committee Amendment "A" (S-464)

This amendment is the majority report and it replaces the bill. It adds an emergency preamble and emergency clause. It specifies that, if the Public Utilities Commission finds that an entity awarded a contract for biomass resources pursuant to Public Law 2015, chapter 483 is not meeting contract requirements and therefore is not qualified to receive the full contract payment or any contract payment, those funds that would have been paid had contract requirements been met must be transferred to the wood energy fund. It also specifies that any funds remaining in the cost recovery fund established in Public Law 2015, chapter 483, section 1, subsection 5 that are not needed to pay above-market costs for biomass resources must also be transferred by the Public Utilities Commission to the wood energy fund.

It establishes the wood energy fund and creates the Wood Energy Program within the Efficiency Maine Trust. It requires the trust to use funds, if there are any, to provide incentives and low-interest or no-interest loans for new wood-derived thermal energy or cogeneration projects. It requires that the trust consult with the Finance Authority of Maine, when appropriate, in the development of any Wood Energy Program incentives and the distribution of money from the wood energy fund. It prohibits the use of funds for incentives or loans for the refurbishment or maintenance of existing facilities.

The amendment also adds an appropriations and allocations section.

LD 1746 An Act To Ensure That Low-income Residents of the State Have Access to Telephone Services PUBLIC 422

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WOODSOME D BERRY S	OTP-AM	S-390 S-524 HAMPER J

This bill was reported out during the Second Regular Session and carried over on the Special Appropriations Table to the next special session by joint order S.P. 748.

This bill clarifies that telephone services available to income-eligible Maine consumers that are supported by