

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
129<sup>TH</sup> LEGISLATURE  
FIRST REGULAR SESSION



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

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

August 2019

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# STATE OF MAINE

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## LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* contains summaries of all LDs and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 129<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 date for non-emergency legislation enacted in the First Regular Session of the 129<sup>th</sup> Legislature is Thursday, September 19, 2019. 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*

liquor operation revenue bonds and any ancillary obligations secured by the fund have been retired to provide additional funding for water and wastewater infrastructure. Specifically, while current law provides a maximum of 15% of funds available after retirement of the bonds be used for matching funds for federal programs for drinking water and wastewater systems, this law provides 30% of funds after bond retirement be designated for drinking water and wastewater purposes. It divides the 30% between drinking water and wastewater at 45% and 55% respectively and provides, for both drinking water and wastewater, the funds first be used for the state match for federal funds for revolving loans. This law also amends the law governing the State Water and Wastewater Infrastructure Fund and the Maine Clean Water Fund to allow the funds to be used to provide assistance for capital investment in private and commercial wastewater systems.

**LD 372**

**An Act To Increase the Safety of Maine Residents in Extended Power Outages**

**PUBLIC 120**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCCREIGHT J GUERIN S	OTP-AM	H-171

This bill allows a municipality, in the event of a power outage of five or more days, to hire appropriately licensed professionals to address power, telephone and similar lines that have been felled by weather events and that are preventing access to roadways within the municipality. It allows a municipality to apply to receive compensation from the local electric utility, the Department of Defense, Veterans and Emergency Management, Maine Emergency Management Agency, the United States Department of Homeland Security, Federal Emergency Management Agency or another funding source.

**Committee Amendment "A" (H-171)**

This amendment replaces the bill. The amendment establishes requirements for an investor-owned transmission and distribution utility to establish emergency response plans for recovery and restoration in response to an event where widespread outages have occurred due to weather events or other causes beyond the utility's control. It requires that the prioritization process under the plan follow the statewide comprehensive emergency management plan and include consideration of steps to ensure safety of electric facilities, road opening and service restoration. The amendment requires the plan to detail a coordinated approach that includes: priorities for emergency response and service restoration, staffing, communication and coordination with emergency management agencies, customer communications, resource deployment and safety.

The amendment requires each investor-owned transmission and distribution utility to file the emergency response plan with the Public Utilities Commission on a biannual basis and to provide a copy of the plan to the Department of Defense, Veterans and Emergency Management, Maine Emergency Management Agency. The amendment allows the commission to designate portions of the emergency response plan as confidential through the issuance of a protective order.

The amendment also authorizes the commission to open an investigation to review the emergency response performance of an investor-owned transmission and distribution utility after an emergency event. If the commission, through investigation, finds that the utility failed to implement its emergency response plan in a prudent manner, the commission is required to take action to remedy the failure, which may include denying the recovery through rates of the costs of emergency response and service restoration.

Finally, the amendment requires the commission to include in its annual report to the Legislature information regarding its activities and the performance of investor-owned transmission and distribution utilities in relation to emergency response plans.

**Enacted Law Summary**

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

Public Law 2019, chapter 120 establishes requirements for an investor-owned transmission and distribution utility to establish emergency response plans for recovery and restoration in response to an event where widespread outages have occurred due to weather events or other causes beyond the utility's control. It requires that the prioritization process under the plan follow the statewide comprehensive emergency management plan and include consideration of steps to ensure safety of electric facilities, road opening and service restoration. It requires the plan to detail a coordinated approach that includes: priorities for emergency response and service restoration, staffing, communication and coordination with emergency management agencies, customer communications, resource deployment and safety.

The law also requires each investor-owned transmission and distribution utility to file the emergency response plan with the Public Utilities Commission on a biannual basis and to provide a copy of the plan to the Department of Defense, Veterans and Emergency Management, Maine Emergency Management Agency, and it allows the commission to designate portions of the emergency response plan as confidential through the issuance of a protective order. It also authorizes the commission to open an investigation to review the emergency response performance of an investor-owned transmission and distribution utility after an emergency event. If the commission, through investigation, finds that the utility failed to implement its emergency response plan in a prudent manner, the commission is required to take action to remedy the failure, which may include denying the recovery through rates of the costs of emergency response and service restoration.

Finally, the law requires the commission to include in its annual report to the Legislature information regarding its activities and the performance of investor-owned transmission and distribution utilities in relation to emergency response plans.

**LD 383      Resolve, Regarding Legislative Review of Portions of Chapter 101:  
ConnectME Authority, a Major Substantive Rule of the ConnectME  
Authority**

**RESOLVE 21  
EMERGENCY**

Sponsor(s)

Committee Report

Amendments Adopted

OTP-AM

H-74

This resolve provides for legislative review of portions of Chapter 101: ConnectME Authority, a major substantive rule of the ConnectME Authority.

**Committee Amendment "A" (H-74)**

This amendment allows for the final adoption of portions of Chapter 101: ConnectME Authority, a major substantive rule of the ConnectME Authority, as long as the ConnectME Authority amends the rule to clarify the definition of advanced communications technology infrastructure.

**Enacted Law Summary**

Resolve 2019, chapter 21 allows for the final adoption of portions of Chapter 101: ConnectME Authority, a major substantive rule of the ConnectME Authority, as long as the ConnectME Authority amends the rule to clarify the definition of advanced communications technology infrastructure.

Resolve 2019, chapter 21 was finally passed as an emergency measure effective April 30, 2019.