

MAINE STATE LEGISLATURE

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STATE OF MAINE
126TH LEGISLATURE
FIRST REGULAR SESSION



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

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

July 2013

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STATE OF MAINE

126TH LEGISLATURE

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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 126th 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. The appendices include a summary of relevant session statistics, an index of all bills by LD number and an index of enacted laws by law type and chapter number.

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 126th Legislature is October 9, 2013. 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

Current law grants exclusive jurisdiction to the Law Court over appeals of final action by the Board of Environmental Protection or the Commissioner of Environmental Protection on applications for expedited wind energy development, general permits for tidal energy demonstration projects and general permits for offshore wind energy demonstration projects. Under this bill, a person aggrieved by any order or decision of the board or commissioner on an application for an expedited wind energy development may instead appeal to the Superior Court.

The committee voted this bill ought-not-to-pass in deference to LD 1119, An Act to Establish Superior Court as the Forum in Which Appeals of Agency Decisions Must Be Taken, which was referred to the Joint Standing Committee on Judiciary, which raised the same issues raised in this bill.

LD 248 An Act To Encourage Workforce Development in the Heating, ONTP
Ventilation, Air Conditioning, Efficiency and Energy Conservation
Trades and Reduce Carbon Dioxide Emissions

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GERZOFSKY BEAVERS	ONTP	

This bill adds as another category of carbon dioxide emissions offset projects funded by the Regional Greenhouse Gas Initiative Trust Fund education and training programs for workforce development in the trades of heating, ventilation, air conditioning, efficiency and energy conservation.

LD 275 Resolve, To Require the Emergency Services Communication Bureau CARRIED OVER
To Expand the Existing Quality Assurance System

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

This resolve directs the Public Utilities Commission, Emergency Services Communication Bureau to expand its quality assurance system to include fire and police call processing and dispatching and also to expand its emergency medical dispatch structured protocol system to include equivalent fire and police protocols and to authorize necessary 9-1-1 funding.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 302 Resolve, Directing the Public Utilities Commission To Review Certain RESOLVE 20
Electricity Distribution Charges Assessed on Businesses

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GUERIN	OTP-AM	H-58

This resolve requires the Public Utilities Commission to review the 25-kilowatt distribution charge assessed against businesses that use 25 kilowatts or more of electricity at any time in a 12-month period to determine whether it is equitable and justifiable to remove this charge for a business for a month in which the business does not use 25 kilowatts or more of electricity if the business did not use 25 kilowatts or more of electricity in the same month in the previous year. The Public Utilities Commission is required to report its findings to the Joint Standing

Joint Standing Committee on Energy, Utilities and Technology

Committee on Energy, Utilities and Technology no later than December 4, 2013. The Joint Standing Committee on Energy, Utilities and Technology may report out legislation on the subject matter of the report to the Second Regular Session of the 126th Legislature.

Committee Amendment "A" (H-58)

This amendment, which replaces the resolve, more specifically defines the scope of the study proposed in the resolve and moves the reporting deadline from December 4, 2013 to January 15, 2014.

Enacted Law Summary

Resolve 2013, chapter 20 directs the Public Utilities Commission to submit a report to the Joint Standing Committee on Energy, Utilities and Technology regarding the demand charges places on the medium rate class by investor-owned transmission and distribution utilities. The report must include information regarding how a utility determines whether a business should be in the medium rate class, the impact of demand charges on seasonal businesses, new customers and business innovation and recommended changes to a utility's terms and conditions to make demand charges more just and reasonable. The Public Utilities Commission shall submit the report to the Joint Standing Committee on Energy, Utilities and Technology no later than January 15, 2014.

LD 303 An Act To Authorize the Public Advocate To Publish and Distribute PUBLIC 79
Consumer Information

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MACDONALD W	OTP-AM ONTP	H-46

This bill authorizes the Public Advocate to publish information and advice for consumers in the State concerning services such as telecommunications, electricity and gas delivery and supply and municipal drinking water services.

Committee Amendment "A" (H-46)

This amendment allows the Public Advocate to publish information in any electronic format and removes the references to advice and municipal drinking water.

Enacted Law Summary

Public Law 2013, chapter 79 authorizes the Public Advocate to publish in any electronic format information for consumers in the State concerning services such as telecommunications, electricity delivery and supply and gas delivery and supply.

LD 304 An Act To Amend the Representation on the Telecommunications Relay PUBLIC 40
Services Advisory Council

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
COOPER	OTP	

This bill removes the member on the Telecommunications Relay Services Advisory Council representing a cellular or wireless service provider and replaces the member with a member representing an Internet telecommunications relay service provider that provides service to customers in the State.

Enacted Law Summary

Public Law 2013, chapter 40 removes the member on the Telecommunications Relay Services Advisory Council representing a cellular or wireless service provider and replaces the member with a member representing an Internet