

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
126<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**

July 2013

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# STATE OF MAINE

126<sup>TH</sup> LEGISLATURE

FIRST REGULAR SESSION



## 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 126<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. 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 126<sup>th</sup> 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*

**LD 796      Resolve, To Enhance Economic Development by Encouraging  
Businesses Adjacent to Electric Power Generators To Obtain Power  
Directly**

**CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CAMPBELL R TUTTLE		

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

This resolve proposes to establish a stakeholder group to identify barriers to and incentives for the direct purchase of electricity by businesses adjacent to electricity-generating facilities, with the intent that the direct purchase of the electricity will decrease total electricity costs to the businesses. The stakeholder group may be chaired by a representative of the Public Utilities Commission, the Office of the Public Advocate or the Governor's Energy Office. Stakeholders may include representatives from the Public Utilities Commission, the Office of the Public Advocate, the Governor's Energy Office, the Department of Economic and Community Development, municipalities, business associations, transmission and distribution utilities, electricity generators and up to two Legislators appointed by the presiding officers. Other than the two Legislators appointed by the presiding officers, the members of the stakeholder group may be appointed by the Public Utilities Commission, the Office of the Public Advocate or the Governor's Energy Office.

The stakeholder group would examine the effects of exit fees, limitations on authority to construct electric transmission lines and the need for backup service from transmission and distribution utilities on the ability of a business to purchase electricity directly from an electricity-generating facility adjacent to the business's property. Additionally, the stakeholder group may consider the feasibility of designating businesses located adjacent to electricity-generating facilities as Pine Tree Development Zone businesses, regardless of the type of business, in order to encourage development in those locations so that the businesses may take advantage of the benefits provided in the Maine Revised Statutes, Title 35-A, section 3210-E. The stakeholder group would be required to report to the Joint Standing Committee on Energy, Utilities and Technology by January 15, 2014 the findings and recommendations of the stakeholder group, including any suggested legislation. The committee would be authorized to report out a bill relating to the report to the Second Regular Session of the 126th Legislature.

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).

The committee sent a letter to the Public Utilities Commission requesting a report on the progress of a rate design case planned to be initiated at the commission during the interim. That case may affect this policy. The committee requested that the report be submitted by December 10, 2013 and that the report include any information that might be relevant to the committee's consideration of LD 796, especially any changes to rate design standards that may incentivize the direct purchase of electricity by a business from an adjacent electricity generator. The committee is also expressed interest in information relating to any changes in the way that stand-by fees are levied.

**LD 797      An Act To Strengthen Basic Telephone Service**

**ONTP**

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

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

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

This bill proposes to strengthen basic telephone service in order to ensure that all consumers have access to a certain minimum level of telecommunications service that is reliable, affordable and adequate to meet the needs of consumers.

The committee voted this bill ought-not-to-pass at the request of the sponsor.

**LD 826      An Act To Eliminate the Opt-out Charges for Smart Meters      CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BEAVERS JACKSON T		

This bill prohibits a transmission and distribution utility from charging a customer a fee or a higher rate for declining the installation or for the removal of a wireless smart meter. If a customer declines the installation of a wireless smart meter, the transmission and distribution utility may decrease the number of times the electromechanical meter is read, but may not read the meter less frequently than once every 12 months, and may establish a rate collection method that is based upon the average electricity consumption of the customer.

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 827      An Act To Increase Access to Natural Gas      ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUNPHY WHITTEMORE	ONTP	

This bill requires a gas utility organized under the Maine Revised Statutes, Title 35-A, section 2101 for the purposes named in that section that is authorized to supply gas in a geographic area as of March 1, 2013 but is not serving customers in that area and will not guarantee to serve those customers within 12 months of a request to serve customers in that area to allow another gas utility to interconnect to its existing pipes and requires the gas utility to provide wholesale service to that interconnecting gas utility for the purpose of serving customers in that area.

**LD 863      Resolve, To Reduce Greenhouse Gases and Consumer Energy Costs      ONTP**

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

This resolve directs the Department of Environmental Protection and the Public Utilities Commission to work together to develop a new regional greenhouse gas initiative offset category for fuel switching and further directs the Department of Environmental Protection and the Public Utilities Commission to promote this category with other regional greenhouse gas initiative states. The Department of Environmental Protection is required to provisionally adopt major substantive rules regarding the offset category and submit them to the Legislature by March 1, 2015.

The committee incorporated the concepts presented in this bill into LD 1559, An Act to Reduce Energy Costs, Increase Energy Efficiency, Promote Electric System Reliability and Protect the Environment.