

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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STAFF:

JEAN GUZZETTI, LEGISLATIVE ANALYST
OFFICE OF POLICY AND LEGAL ANALYSIS
13 STATE HOUSE STATION
AUGUSTA, ME 04333
(207) 287-1670

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

**LD 876 Resolve, To Establish a Working Group To Study Issues Relating to
Broadband Infrastructure Deployment**

RESOLVE 28

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JOHNSON C THERIAULT	OTP-AM	S-41

This resolve directs the ConnectME Authority to establish a working group to identify technical, legal, funding and jurisdictional challenges to the deployment of broadband conduit for fiber-optic communications and to develop solutions necessary to achieve and facilitate the deployment of broadband infrastructure. The resolve directs the authority to submit a written report of findings and recommendations to the Joint Standing Committee on Energy, Utilities and Technology and the Joint Standing Committee on Transportation no later than February 1, 2014. The resolve gives the Joint Standing Committee on Energy, Utilities and Technology and the Joint Standing Committee on Transportation authority to submit either individually or jointly a bill to the Second Regular Session of the 126th Legislature relating to the subject matter of the report.

Committee Amendment "A" (S-41)

This amendment adds the Public Advocate and a representative of the Maine State Chamber of Commerce as members of the working group. It expands the scope of the duties to include consideration of dig-once policies to encourage broadband build-out to unserved areas of the State and removes the authority for the Joint Standing Committee on Transportation to submit legislation.

Enacted Law Summary

Resolve 2013, chapter 28 directs the ConnectME Authority to establish a working group to identify technical, legal, funding and jurisdictional challenges to the deployment of broadband conduit for fiber-optic communications and to develop solutions necessary to achieve and facilitate the deployment of broadband infrastructure. The resolve directs the authority to submit a written report of findings and recommendations to the Joint Standing Committee on Energy, Utilities and Technology and the Joint Standing Committee on Transportation no later than February 1, 2014. The resolve gives the Joint Standing Committee on Energy, Utilities and Technology authority to submit a bill to the Second Regular Session of the 126th Legislature relating to the subject matter of the report.

**LD 885 An Act To Remove Obsolete Provisions of the Electric Industry
Restructuring Laws**

PUBLIC 116

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CLEVELAND HOBBINS	OTP-AM	S-52

This bill repeals provisions of the electric industry restructuring laws that:

1. Require electric utilities to issue unbundled bills to consumers that state the cost of the electricity separately from the cost of the transmission and distribution of that electricity;
2. Establish a consumer education program, and a funding mechanism for that program, regarding the implementation of retail competition in the State's retail electricity markets and its impact on consumers. The program was time limited and has concluded. The Public Utilities Commission is directed to transfer any remaining balance in the Public Utilities Commission Consumer Education Fund to the General Fund; and
3. Require each investor-owned utility to prepare a plan for providing transition services and benefits for employees who were employed by the utility on January 1, 1998 and are laid off due to retail competition, which is defined as,

Joint Standing Committee on Energy, Utilities and Technology

absent other just cause, a layoff that occurs after March 1, 2000 and before December 31, 2001. This provision is no longer necessary since that date has been reached.

Committee Amendment "A" (S-52)

This amendment retains a provision of law repealed in the bill that requires generation service and transmission and distribution service charges to appear separately on an electricity bill and directs any funds remaining in the Public Utilities Commission Consumer Education Fund to be transferred to the Office of the Public Advocate for the purposes of consumer education.

Enacted Law Summary

Public Law 2013, chapter 116 repeals provisions of the electric industry restructuring laws that:

1. Establish a consumer education program, and a funding mechanism for that program, regarding the implementation of retail competition in the State's retail electricity markets and its impact on consumers. The program was time limited and has concluded. The Public Utilities Commission is directed to transfer any remaining balance in the Public Utilities Commission Consumer Education Fund to the Office of Public Advocate for the purposes of consumer education relating to the electricity industry; and
2. Require each investor-owned utility to prepare a plan for providing transition services and benefits for employees who were employed by the utility on January 1, 1998 and are laid off due to retail competition, which is defined as, absent other just cause, a layoff that occurs after March 1, 2000 and before December 31, 2001. This provision is no longer necessary since that date has been reached.

LD 894 An Act To Provide Customers with Itemized Bills

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MONAGHAN-DERRIG VALENTINO	ONTP	

This bill requires each provider of cable television, phone or Internet services to annually furnish by the United States Postal Service to each of its customers with an account address in this State an itemized bill that includes an explanation of all charges, fees and taxes applicable to the customer's account.

LD 927 An Act To Further Energy Independence for the State

PUBLIC 415

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCGOWAN	OTP-AM	H-554

This bill requires a new comprehensive state energy plan to be drafted by the Governor's Energy Office and a new climate action plan to be drafted by the Department of Environmental Protection. This bill establishes new fossil fuel reduction, energy efficiency and renewable energy goals. This bill encourages, and in some cases requires, consultation between the Governor's Energy Office, the Efficiency Maine Trust, the Department of Environmental Protection, the joint standing committee of the Legislature having jurisdiction over natural resources matters and the joint standing committee of the Legislature having jurisdiction over energy matters in the drafting of the plans or reporting out of legislation in response to the plans.

Committee Amendment "A" (H-554)

This amendment consolidates various reporting requirements of the Governor's Energy Office into two primary