

MAINE STATE LEGISLATURE

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STATE OF MAINE
126TH LEGISLATURE
SECOND REGULAR SESSION



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

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

May 2014

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STATE OF MAINE
126TH LEGISLATURE
SECOND REGULAR SESSION
LEGISLATIVE DIGEST OF BILL SUMMARIES AND
ENACTED LAWS

The *Digest* is arranged 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.

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 HOUSESHouse & 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
EMERGENCYenacted 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 Second Regular Session of the 126th Legislature is August 1, 2014. 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

and

5. Creating a rebuttable presumption of unreasonable adverse effect on scenic character if a generating facility is located within 15 miles from certain scenic resources of state or national significance.

LD 1252

An Act To Improve Maine's Economy and Energy Security with Cost-effective Technologies

Veto Sustained

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MORRISON	OTP-AM	H-650
GRATWICK	OTP-AM	H-744 HARVELL
	ONTP	

This bill was carried over from the First Regular Session of the 126th Legislature.

This bill reinstates the solar and wind energy rebate program to provide rebates for the purchase of certain solar and wind energy equipment until June 30, 2018. The program expired December 31, 2010. This bill also increases the limit on the total amount of renewable capacity allowed under the community-based renewable energy pilot program from 50 megawatts to 60 megawatts and requires the Public Utilities Commission to reserve 10 megawatts in that program for solar-powered generating systems. The bill increases the limit on the contract price the commission can authorize for eligible solar-power generation under the community-based renewable energy pilot program and indexes the price limit to the Consumer Price Index. It also extends the repeal date for the Community-based Renewable Energy Act from December 31, 2015 to December 31, 2017. The bill requires the commission to submit to the Legislature by January 15, 2014 a report on options for establishing setting an amount of energy purchased that must be solar within the State's renewable portfolio standard.

Committee Amendment "A" (H-650)

This amendment is the majority report of the Joint Standing Committee on Energy, Utilities and Technology. This amendment replaces the bill. It establishes the Renewable Energy Rebate Program Fund under the Efficiency Maine Trust. The trust is required to provide rebates for the purchase of certain solar energy equipment until December 31, 2016. The rebate program is funded by an assessment of .011¢ per kilowatt-hour on electricity bills. The amendment also adds an appropriations and allocations section.

Committee Amendment "B" (H-651)

This amendment is the minority report of the Joint Standing Committee on Energy, Utilities and Technology and replaces the bill. This amendment establishes a sales tax exemption for solar photovoltaic and solar thermal systems purchased for the purpose of generating energy for personal or private use. The sales tax exemption is repealed December 31, 2016. The amendment allows the joint standing committee of the Legislature having jurisdiction over energy and utilities matters to report out legislation to change the repeal date if the federal tax credit for residential energy efficient property is extended beyond December 31, 2016.

House Amendment "C" To Committee Amendment "A" (H-744)

This amendment changes the name of the fund established in Committee Amendment "A" to the Solar Energy and Heat Pump Rebate Program Fund and expands the permitted use of the fund to include rebates for heat pumps. The amendment requires the Efficiency Maine Trust to establish, by routine technical rules, criteria for eligibility of technology and entities. Only persons who are residents of this State or that are domiciled in this State are eligible for rebates. In addition, only individuals who qualify for the Low-income Home Energy Assistance Program are eligible to receive rebates for both solar technologies and heat pumps. Other persons, including individuals and commercial, nonprofit or government entities that do not qualify for the Low-income Home Energy Assistance Program may qualify for rebates only for solar technologies and only if the solar technologies are installed on facilities located in this State.

Joint Standing Committee on Energy, Utilities and Technology

This amendment also replaces the appropriations and allocations section in Committee Amendment "A" to effect the changes made in this amendment.

LD 1278 An Act To Ensure Equitable Support for Long-term Energy Contracts

PUBLIC 454

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
YOUNGBLOOD CAMPBELL R	OTP-AM	S-384

This bill was carried over from the First Regular Session of the 126th Legislature.

This bill ensures that consumers of investor-owned transmission and distribution utilities in the State equitably share in the costs and direct benefits of long-term capacity resource contracts and community-based renewable energy projects. The bill provides that eligible costs and benefits related to these contracts are determined annually based on a forecast and reconciled the following year. The recovery mechanism established in this bill applies to existing long-term contracts and replaces any other recovery mechanism currently in place.

Committee Amendment "A" (S-384)

This amendment clarifies that the Act is to apply to investor-owned transmission and distribution utilities rather than all transmission and distribution utilities. The amendment removes the prescriptive requirements of how the benefit and cost mechanism is to be created in order to provide the Public Utilities Commission with the flexibility to identify the best process. This amendment clarifies that the Act is meant to equally distribute the benefits and costs of long-term energy contracts more equitably among those that currently receive the benefits and pay the costs of long-term energy contracts and that it is not intended to make classes or certain bodies of ratepayers who do not currently receive the benefits or pay the costs of long-term energy contracts do so. This amendment removes the 25-megawatt cap under the community-based renewable energy pilot program. This amendment does not change the total 50-megawatt statewide cap.

Enacted Law Summary

Public Law 2013, chapter 454 requires that customers of investor-owned transmission and distribution utilities in the State equitably share in the costs and direct benefits of long-term capacity resource contracts and community-based renewable energy projects. Chapter 454 provides that eligible costs and benefits related to these contracts are determined annually by the Public Utilities Commission. The recovery mechanism established in chapter 454 applies prospectively to existing long-term contracts and replaces any other recovery mechanism currently in place. Chapter 454 is meant to equally distribute the benefits and costs of long-term energy contracts more equitably among those that currently receive the benefits and pay the costs of long-term energy contracts and is not intended to make classes or certain bodies of ratepayers who do not currently receive the benefits or pay the costs of long-term energy contracts do so. Chapter 454 removes the 25-megawatt cap per utility territory under the community-based renewable energy pilot program but does not change the total 50-megawatt statewide cap.

LD 1323 An Act Regarding Wind Power Siting in the Unorganized Territory

Died Between Houses

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HAYES	ONTP OTP-AM	