

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

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

STAFF:

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

MEMBERS:

SEN. JOHN J. CLEVELAND, CHAIR
SEN. TROY DALE JACKSON
SEN. EDWARD M. YOUNGBLOOD

REP. BARRY J. HOBBS, CHAIR
REP. ROBERTA B. BEAVERS
REP. DIANE RUSSELL
REP. SARA GIDEON
REP. DEANE RYKERSON
REP. RYAN D. TIPPING-SPITZ
REP. LARRY C. DUNPHY
REP. AARON F. LIBBY
REP. LANCE EVANS HARVELL
REP. MELVIN NEWENDYKE

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

benefits to ratepayers and be consistent with the interests of investors and public utility employees. The bill also allows the commission to charge a filing fee of up to \$100,000 to an applicant for reorganization when the applicant is a public utility that has gross annual state revenues greater than \$50,000,000. In the case of a public utility with gross annual state revenues totaling \$50,000,000 or less, the standard under this bill is the same standard as is currently applicable.

Committee Amendment "A" (H-772)

This amendment is the majority report of the committee. The amendment replaces the bill. The amendment requires the Public Utilities Commission to consider additional requirements before approving a reorganization involving a telephone utility with gross annual state revenues greater than \$50,000,000. The commission may approve the reorganization only when it is satisfied that the proposal will advance the economic development and information access goals of the State; that the reorganization does not result in changes to the location and the accessibility of the telephone utility's management and to employment levels in a manner that would adversely affect safety, reliability or quality of service; and that the reorganization provides an affirmative benefit to the public. The amendment also removes the requirement that the Public Utilities Commission rule upon a request for the reorganization of a large telephone utility within 180 days.

Committee Amendment "B" (H-773)

This amendment is the minority report of the committee. The amendment strikes and replaces the bill. The amendment requires the Public Utilities Commission to consider additional requirements before approving a reorganization involving a public utility with gross annual state revenues greater than \$50,000,000. The commission may approve the reorganization only when it is satisfied that the proposal will advance the economic development and information access goals of the State for a reorganization that involves a telephone utility; that the reorganization does not result in changes to the location and the accessibility of the public utility's management and to employment levels in a manner that would adversely affect safety, reliability or quality of service; and that the reorganization provides an affirmative benefit to the public. The amendment also removes the requirement that the Public Utilities Commission rule upon a request for the reorganization of a large public utility within 180 days.

LD 1781 An Act To Amend Tidal Energy Demonstration Project Laws

ONTP

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

This bill expands the definition of "tidal energy demonstration project" under the laws governing general permits for tidal energy demonstration projects to cover so-called tidal range projects. The bill further directs the Public Utilities Commission to conduct an additional competitive solicitation of proposals for tidal energy demonstration projects and increases the allowed capacity derived from tidal energy demonstration projects to 30 megawatts and total allowed capacity contracted for by the commission to 45 megawatts.

LD 1784 An Act To Reform Regulation of Consumer-owned Water Utilities

PUBLIC 573

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	S-484 H-817 HOBBINS

This bill is reported out by the Joint Standing Committee on Energy, Utilities and Technology pursuant to Resolve 2013, chapter 47, section 1. As required by the resolve, the Public Utilities Commission submitted to the committee its plan to reform the regulation of consumer-owned water utilities on January 30, 2014, including the necessary

Joint Standing Committee on Energy, Utilities and Technology

changes to law to implement its plan.

Committee Amendment "A" (S-484)

This amendment replaces the bill. This amendment requires the Public Utilities Commission to adopt rules to establish standards and procedures to exempt consumer-owned water utilities from portions of the Maine Revised Statutes, Title 35-A. This amendment:

1. Outlines specific requirements related to standards for granting an exemption;
2. Specifies ways a request for exemption may be initiated;
3. Lists specific provisions of Title 35-A from which a consumer-owned water utility may not be exempted;
4. Directs the commission to ensure that customers of consumer-owned water utilities still have access to the services provided by the consumer assistance division within the commission; and
5. Directs the commission to establish by rule a process by which customers of a consumer-owned water utility can request that an exemption be rescinded.

This amendment requires that rate schedules issued by a consumer-owned water utility be submitted to the commission.

House Amendment "A" To Committee Amendment "A" (H-817)

This amendment amends Committee Amendment "A." The amendment authorizes the Public Utilities Commission to rescind an exemption on its own motion.

Enacted Law Summary

Public Law 2013, chapter 573 requires the Public Utilities Commission to adopt rules to establish standards and procedures to exempt consumer-owned water utilities from portions of the Maine Revised Statutes, Title 35-A. This law:

1. Outlines specific requirements related to standards for granting an exemption;
2. Specifies ways a request for exemption may be initiated;
3. Lists specific provisions of Title 35-A from which a consumer-owned water utility may not be exempted;
4. Directs the commission to ensure that customers of consumer-owned water utilities still have access to the services provided by the consumer assistance division within the commission;
5. Directs the commission to establish by rule a process by which customers of a consumer-owned water utility can request that an exemption be rescinded;
6. Requires that rate schedules issued by a consumer-owned water utility be submitted to the commission; and
7. Authorizes the Public Utilities Commission to rescind an exemption on its own motion.