

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
126<sup>TH</sup> 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**  
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**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 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 Second Regular Session of the 126<sup>th</sup> 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*

**LD 1791 An Act To Expand Benefits from Maine's Wind Resource**

**Accepted Majority  
(ONTP) Report**

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

This bill changes the goals for wind energy development in the Maine Wind Energy Act from a schedule of increasing levels of installed capacity to a statement that the goals are expanded economic opportunities in the State, including increasing the number of jobs in the manufacturing, construction and development of wind energy projects, and lower electricity prices for the State's residential, commercial and industrial consumers.

**Committee Amendment "A" (H-726)**

This amendment is the minority report of the committee. This amendment strikes the section of the bill that repeals the megawatt goals for wind energy development. It also slightly modifies the wording of the bill relating to wind energy goals to provide that the State must aspire to advance those goals.

**LD 1792 An Act To Protect Jobs in the Forest Product Industry**

**P & S 27  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
STANLEY THOMAS	OTP-AM	H-758

Current law restricts the ability of Great Northern Paper, LLC, to receive revenue from the sale of electricity from Brookfield Renewable Energy Partners when there is a cessation or reduction of paper production. In order to allow the Millinocket or East Millinocket paper production facility to benefit from the electricity revenue during the closure period and help the facility sustain its operations and remain viable during the closure, this bill amends the law to require Brookfield Renewable Energy Partners to transfer to Great Northern Paper, LLC, certain windfall revenue received from sales of electricity available due to the cessation or reduction of paper production and sold to other purchasers or into the wholesale electric market as long as there is no reduction in labor force associated with the cessation or reduction of paper production, commencing after the restart of the East Millinocket paper production facility.

**Committee Amendment "A" (H-758)**

Current law restricts the ability of Great Northern Paper, LLC, to receive revenue from the sale of electricity from Brookfield Renewable Energy Partners when there is a long-term cessation of paper production for a period of at least 90 days. This amendment, which replaces the bill, clarifies that the current law does not prohibit short-term load-shedding agreements and expressly authorizes such agreements for the purpose of promoting the continued viability of the paper production facilities and preserving the work force employed at those facilities and thereby promoting the public welfare. It also allows a one-time, limited exemption from certain provisions of current law, including the prohibition on agreements relating to longer-term paper mill closings, for the current cessation of paper production at the East Millinocket paper production facility that began on January 23, 2014, as long as certain conditions are met, including a reopening of the facility no later than June 30, 2014 with the number of employees agreed upon by the unions representing the employees and the owner of the paper production facility.

**Enacted Law Summary**

Private and Special Law 2013, chapter 27 clarifies that the current law does not prohibit short-term load-shedding agreements and expressly authorizes such agreements for the purpose of promoting the continued viability of the

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

paper production facilities and preserving the work force employed at those facilities and thereby promoting the public welfare. It also allows a one-time, limited exemption from certain provisions of current law, including the prohibition on agreements relating to longer-term paper mill closings, for the current cessation of paper production at the East Millinocket paper production facility that began on January 23, 2014, as long as certain conditions are met, including a reopening of the facility no later than June 30, 2014 with the number of employees agreed upon by the unions representing the employees and the owner of the paper production facility.

Private and Special Law 2013, chapter 27 was enacted as an emergency measure effective April 7, 2014.

**LD 1816      An Act To Address Recommendations from the Report by the Office of Program Evaluation and Government Accountability Regarding the Public Utilities Commission** **Veto Sustained**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	H-784

This bill creates a temporary consumer advisor position in the Office of the Public Advocate to advise citizens participating in proceedings before the Public Utilities Commission. The position is established to address a recommendation in the Office of Program Evaluation and Government Accountability's 2013 report on the Public Utilities Commission that the Public Utilities Commission and the Public Advocate explore ways to facilitate consumers' ability to effectively represent themselves in adjudicatory proceedings before the Public Utilities Commission. This bill also requires the Public Advocate to report to the joint standing committee of the Legislature having jurisdiction over energy and utilities matters on the performance, duties and funding of the consumer advisor.

**Committee Amendment "A" (H-784)**

This amendment adds an emergency preamble and emergency clause to the bill. It also adds an appropriations and allocations section.

**LD 1825      An Act To Assist Electric Utility Ratepayers** **PUBLIC 556**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CLEVELAND	OTP-AM	S-482

This bill requires transmission and distribution utilities to implement arrearage management programs to assist eligible low-income residential customers who are in arrears on their electricity bills. It requires the Public Utilities Commission to develop the program through rulemaking. The program must include measures to help participants reduce their energy consumption, including a free electricity usage assessment and the requirement that transmission and distribution utilities work with the Efficiency Maine Trust to provide complementary energy efficiency programs for program participants. It also requires that a transmission and distribution utility recover in rates all costs of the program except those arrearages that are forgiven and written off as bad debt.

**Committee Amendment "A" (S-482)**

This amendment adds to the bill the requirement that the arrearage management programs begin no later than October 15, 2015 and that the terms and conditions of the programs be in the best interest of ratepayers. The amendment adds payment patterns to the topics for the Public Utilities Commission to include in its report on the arrearage management programs and allows the joint standing committee of the Legislature having jurisdiction over utilities matters to report out a bill relating to the report. The amendment makes other minor technical changes.