

MAINE STATE LEGISLATURE

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STATE OF MAINE
127TH LEGISLATURE
FIRST REGULAR SESSION



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

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

August 2015

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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 127th 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. An appendix provides a summary of relevant session statistics.

Final action on each LD is noted to the right of the LD title. The following describes the various final actions.

<i>CARRIED OVER</i>	<i>carried over to a subsequent session of the Legislature</i>
<i>CON RES XXX</i>	<i>chapter # of constitutional resolution passed by both houses</i>
<i>CONF CMTE UNABLE TO AGREE</i>	<i>Committee of Conference unable to agree; legislation died</i>
<i>DIED BETWEEN HOUSES</i>	<i>House & Senate disagreed; legislation died</i>
<i>DIED IN CONCURRENCE</i>	<i>defeated in each house, but on different motions; legislation died</i>
<i>DIED ON ADJOURNMENT</i>	<i>action incomplete when session ended; legislation died</i>
<i>EMERGENCY</i>	<i>enacted law takes effect sooner than 90 days after session adjournment</i>
<i>FAILED, EMERGENCY ENACTMENT or FINAL PASSAGE</i>	<i>emergency failed to receive required 2/3 vote</i>
<i>FAILED, ENACTMENT or FINAL PASSAGE</i>	<i>failed to receive final majority vote</i>
<i>FAILED, MANDATE ENACTMENT</i>	<i>legislation proposing local mandate failed required 2/3 vote</i>
<i>HELD BY GOVERNOR</i>	<i>Governor has not signed; final disposition to be determined at subsequent session</i>
<i>LEAVE TO WITHDRAW</i>	<i>sponsor's request to withdraw legislation granted</i>
<i>NOT PROPERLY BEFORE THE BODY</i>	<i>ruled out of order by the presiding officer; legislation died</i>
<i>INDEF PP</i>	<i>indefinitely postponed; legislation died</i>
<i>ONTP, ACCEPTED, MAJORITY, MINORITY or REPORT X</i>	<i>ought-not-to-pass report accepted; legislation died</i>
<i>P&S XXX</i>	<i>chapter # of enacted private & special law</i>
<i>PUBLIC XXX</i>	<i>chapter # of enacted public law</i>
<i>RESOLVE XXX</i>	<i>chapter # of finally passed resolve</i>
<i>VETO SUSTAINED</i>	<i>Legislature failed to override Governor's veto</i>

The effective date for non-emergency legislation enacted in the First Regular Session of the 127th Legislature is October 15, 2015. The effective date for legislation enacted as an emergency measure may be found in the enacted law summary for that legislation.

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LD 827 An Act To Amend the Fluoridation Laws To Provide for Customer Choice ONTP

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

This bill provides an additional mechanism to vote on fluoridation of a water supply. The bill would allow customers of a public water system to petition to have the issue of fluoridation decided upon, and in that instance only the customers of the public water system would vote on the issue. An election under this mechanism would be conducted by the public water system according to procedures adopted by the public water system.

LD 879 An Act To Ensure High-quality Telecommunications Services for Maine Consumers and Businesses CARRIED OVER

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

This bill makes several changes in the regulation of telecommunications utilities.

1. It permits the Public Utilities Commission to eliminate alternative forms of regulation if the commission determines that service deficiencies are occurring.
2. It requires the Public Utilities Commission to adopt rules that provide for automatic penalties if service quality standards are not met.
3. It repeals a provision regarding the reporting of unscheduled outages to the Public Utilities Commission.
4. It reduces the number of exemptions a telephone utility has from customer service and regulatory requirements.
5. It removes the exemption from regulation for telecommunications services provided using interconnected voice over Internet protocol technology.

This bill was carried over to any special or regular session of the 127th Legislature by joint order, H.P. 992.

LD 880 An Act To Permit Rate-adjustment Mechanisms for Water Utilities PUBLIC 115

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HOBBS	OTP-AM	H-103

This bill provides the Public Utilities Commission with the authority to create a mechanism for a water utility to request an adjustment to rates charged to ratepayers to reconcile actual revenues or costs with projected revenues or costs, either on a total or per customer basis. This bill also requires the Public Utilities Commission, as part of its annual report, to list all rate adjustments requested and all those that have been granted.

Committee Amendment "A" (H-103)

This amendment changes the method proposed in the bill by which the Public Utilities Commission may authorize a

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reasonable rate-adjustment mechanism to allow the commission of its own volition to establish or authorize a reasonable rate-adjustment mechanism to decouple water utility revenues from water utility sales through revenue reconciliation when there is a change in sales due to a change in the number of customers or a change in the volume of consumption.

Enacted Law Summary

Public Law 2015, chapter 115 allows the Public Utilities Commission to establish or authorize a reasonable rate-adjustment mechanism to decouple water utility revenues from water utility sales through revenue reconciliation when there is a change in sales due to a change in the number of customers or a change in the volume of consumption. It also requires the Public Utilities Commission, as part of its annual report, to list all rate adjustments requested and all those that have been granted.

LD 881 An Act To Allow the Public Utilities Commission To Contract for Liquefied Natural Gas Storage and Distribution CARRIED OVER

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

This bill allows the Public Utilities Commission to contract for the storage and distribution of liquefied natural gas to provide a source of natural gas during peak winter months. This bill defines a "liquefied natural gas contract" and provides that, prior to entering into a contract, the Public Utilities Commission must ensure that a liquefied natural gas facility will be located in a rural, low-income community within the State, a study has been conducted by an independent third party showing the construction of the facility will result in a minimum of 200 direct and indirect jobs, exclusive of jobs directly linked to the actual construction of the facility and, if feasible, the facility will be constructed by a qualified construction firm based in the State.

This bill also requires that before the Public Utilities Commission executes or directs the execution of a liquefied natural gas contract, the Governor must approve in writing the contract.

This bill was carried over to any special or regular session of the 127th Legislature by joint order, H.P. 992.

LD 882 An Act To Ensure That Telephone Utility Reorganizations Advance the Economic Development and Information Access Goals of the State Accepted Majority (ONTP) Report

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

This bill 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 bill 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 "A" (H-285)

This amendment, which is the minority report, removes the requirement that economic development goals must be