

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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STATE OF MAINE

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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.

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 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.

Joint Standing Committee on Energy, Utilities and Technology

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>
HOBBINS		

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>
HOBBINS	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

Joint Standing Committee on Energy, Utilities and Technology

advanced in order for the Public Utilities Commission to approve a reorganization involving a telephone utility with gross annual state revenues greater than \$50,000,000. This amendment also requires a broader finding by the commission that the reorganization does not result in changes that would adversely affect safety, reliability or quality of service, unlike in the bill, which requires a finding that the reorganization would not result in changes that would adversely affect safety, reliability or quality of service as it pertains to the location and the accessibility of the telephone utility's management and operations or to the proportion and number of the telephone utility's employees who reside in the State.

LD 883 An Act To Create the Cellular Telephone Labeling Act

**Accepted Majority
(ONTP) Report**

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

This bill requires cellular telephone manufacturers that include safety notifications in their owner's manuals to ensure that cellular telephone packaging includes those safety notifications or a label indicating where the safety notifications may be found in the owner's manual. It prohibits retailers from selling at retail in this State cellular telephones of manufacturers that include safety notifications in their owner's manuals but do not include on the product packaging the safety notifications or a label indicating where the safety notifications may be found. It requires manufacturers of cellular telephones to provide the safety notifications to retailers at no cost to the retailers. It also prohibits retailers from selling at retail in this State a cellular telephone that does not bear a label warning that the device emits radiofrequency electromagnetic fields. It also requires retailers to provide an information bulletin to the purchaser of a cellular telephone informing the purchaser of potential health risks associated with the use of cellular telephones. The bill provides that a violation of these provisions is a violation of the Maine Unfair Trade Practices Act.

Committee Amendment "A" (H-343)

This amendment is the minority report of the committee. This amendment requires disclosure labels for cellular telephones instead of warning labels. The amendment removes requirements for retailers from the bill regarding warning labels and information bulletins for cellular telephones and no longer prohibits a retailer from selling cellular telephones in the State that do not comply with the requirements of the bill. The amendment changes the information required on product packaging and creates a new disclosure requirement for those cellular telephone manufacturers that do not include safety notifications within their owner's manual.

LD 912 An Act To Allow the Establishment of Regional Municipal Utility Districts To Support Broadband Communications

PUBLIC 222

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FOLEY COLLINS	OTP-AM	H-267

This bill amends the laws governing interlocal agreements to expressly allow an agreement that establishes a regional municipal utility district to provide or, through public-private partnerships, to support or promote the provision of telecommunications services; broadband services; Internet services; or energy generation, transmission or distribution services and to issue revenue bonds in support of any of these activities. A regional municipal utility district that seeks to provide services that are regulated by the Public Utilities Commission would be subject to the commission's regulations.

Committee Amendment "A" (H-267)