

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

127TH LEGISLATURE

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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.

Joint Standing Committee on Energy, Utilities and Technology

ensures that, during this period, notwithstanding Title 35-A, section 10111, any assessment by the commission must be in an amount necessary to capture all cost-effective energy efficiency that is achievable and reliable only for consumers who are eligible to receive funds from the natural gas conservation fund. This amendment defines a large volume consumer as a consumer using 1,000,000 centum cubic feet or more of natural gas per year.

This amendment also directs the Efficiency Maine Trust to meet with large volume consumers of gas utilities and other interested stakeholders to examine alternatives for promoting and securing cost-effective natural gas conservation and efficiency improvements for large volume consumers of gas utilities. This amendment directs the trust to report the results of these meetings, along with recommendations, to the Joint Standing Committee on Energy, Utilities and Technology by December 31, 2015. The committee is authorized to report out a bill to the Second Regular Session of the 127th Legislature.

Enacted Law Summary

Resolve 2015, chapter 39 establishes a moratorium on assessments for large volume consumers by gas utilities until 90 days after the adjournment of the Second Regular Session of the 127th Legislature. It specifies that the Public Utilities Commission may not allow a natural gas utility to collect an assessment under the Maine Revised Statutes, Title 35-A, section 10111 through its rates from large volume consumers and may not make a final decision regarding the appropriateness of or size of such collections from large volume consumers. The law specifies that the Public Utilities Commission may not order or authorize a natural gas utility to exempt from collection of an assessment through its rates any consumers other than large volume consumers. It further specifies that, during this same time period, large volume consumers are not eligible to participate in any Efficiency Maine Trust natural gas conservation programs. It ensures that, during this period, notwithstanding Title 35-A, section 10111, any assessment by the commission must be in an amount necessary to capture all cost-effective energy efficiency that is achievable and reliable only for consumers who are eligible to receive funds from the natural gas conservation fund. The law defines a large volume consumer as a consumer using 1,000,000 centum cubic feet or more of natural gas per year.

The law directs the Efficiency Maine Trust to meet with large volume consumers of gas utilities and other interested stakeholders to examine alternatives for promoting and securing cost-effective natural gas conservation and efficiency improvements for large volume consumers of gas utilities. Lastly, the law directs the trust to report the results of these meetings, along with recommendations, to the Joint Standing Committee on Energy, Utilities and Technology by December 31, 2015. The committee is authorized to report out a bill to the Second Regular Session of the 127th Legislature.

LD 992

An Act To Regulate Standards of Service for Mobile Telecommunications Services and Broadband Services

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KUMIEGA JOHNSON	ONTP	

This bill defines the term "broadband service provider". This bill provides authority for the Public Utilities Commission to regulate service standards for providers of mobile telecommunications services and broadband services and to investigate consumer complaints. This bill also allows the Public Utilities Commission, through an adjudicatory proceeding, to assess an administrative penalty on a mobile telecommunications service provider or broadband service provider for violations of standards adopted by the Public Utilities Commission. The bill allows the Public Utilities Commission to establish a reasonable assessment on providers to implement these provisions. This bill creates a nonlapsing fund for assessments. This bill provides the authority for the Public Utilities Commission to enact major substantive rules to implement these provisions. Lastly, this bill requires that the Public Utilities Commission report to the Joint Standing Committee on Energy, Utilities and Technology on the progress made in the implementation of these provisions and include in the report legislation necessary to accomplish the purposes of this bill. The Joint Standing Committee on Energy, Utilities and Technology may report out a bill to the

Joint Standing Committee on Energy, Utilities and Technology

Second Regular Session of the 127th Legislature.

LD 1063 An Act To Promote Community Broadband Planning and Strengthen Economic Opportunity throughout Maine

PUBLIC 284

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GIDEON MASON	OTP-AM	H-336

This bill amends the Advanced Technology Infrastructure Act. It amends the definitions of "communications service" and "communications service provider." It makes changes to the State's goals and policies in the Act. It amends the membership of the ConnectME Authority and amends the duties of the authority. It requires the authority to provide funds for broadband planning grants. It abolishes the ConnectME Advisory Council. It requires the authority to establish a triennial strategic plan for broadband service and to report to the Legislature on progress toward meeting the plan's goals and objectives.

Committee Amendment "A" (H-336)

This amendment does the following.

1. It removes the expansion of the contribution base of entities paying into the ConnectME Fund by removing changes to the definitions of "communications service" and "communications service provider" and by retaining a provision of current law, proposed to be eliminated in the bill, that allows certain wireless voice or data retail service providers to agree to be assessed as communications service providers.
2. It removes the requirement that broadband investments funded by the ConnectME Authority must benefit multiple communities and specifies that infrastructure investments may be capable of being used either by a single provider or by multiple providers.
3. It directs the ConnectME Authority to give preference when supporting broadband infrastructure to investments that provide the greatest relative improvement to existing broadband service in an unserved or underserved area.
4. It removes the eligibility of private or public organizations for community broadband planning grants and makes nonprofit local or regional community organizations that are providing local or regional economic development programs eligible for those grants.
5. It requires that plans funded through grants include one or more potential network designs, cost estimates, operating models and potential business models based on input from broadband providers and any other parties that submit a design solution in the course of plan development.
6. It requires the ConnectME Authority to ensure that grants are equitably distributed throughout the unserved and underserved areas of the State and that the grants encourage collaboration between multiple communities, but removes the requirement in the bill that the authority adopt rules for these purposes.
7. It specifies that matching funds for broadband planning grants may not consist of in-kind contributions from the municipality or a party with a financial interest in a broadband infrastructure project that would be constructed pursuant to a planning grant.
8. It extends the date for the ConnectME Authority's triennial plan submission from December 31, 2015 to February 15, 2016.

Enacted Law Summary