

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

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

Joint Standing Committee on Energy, Utilities and Technology

Public Law 2015, chapter 284 does the following:

1. Abolishes the ConnectME Advisory Council;
2. Repeals the existing State broadband policy and replaces it with amended goals and policies;
3. Amends the membership of the ConnectME authority to include two additional entities - the Commissioner of the Department of Economic and Community Development and an individual with significant knowledge of telemedicine appointed by the Governor;
4. Removes the ability of the ConnectME Authority to request staff resources from the Public Utilities Commission or other state agencies with expertise in communications services or advanced communications technology infrastructure;
5. Redefines the duties of the ConnectME Authority;
6. Amends the reporting requirement to the Legislature by requiring that a detailed description of the progress toward the goals and objectives established in the triennial strategic plan be included in the report;
7. Promotes community broadband planning, which directs the ConnectME Authority to fund broadband planning grants to municipalities, groups of municipalities or nonprofit local or regional community organizations to develop plans to expand the availability of broadband in unserved and underserved areas; and
8. Requires the ConnectME Authority to develop a triennial strategic plan by February 15, 2016 for broadband that includes quantifiable measures of performance and that allows for public input.

LD 1073 An Act To Lower Energy Costs and Increase Access to Solar Energy for Agricultural Businesses CARRIED OVER

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

This bill establishes the Solar Energy Agricultural Rebate Fund to be used by the Efficiency Maine Trust to provide rebates until December 31, 2017 for solar photovoltaic and solar thermal technologies to agricultural businesses. It provides that an agricultural business that is a customer of an investor-owned transmission and distribution utility must be compensated for accumulated unused kilowatt-hour credits every 12 months. It also authorizes customers of transmission and distribution utilities to elect to be billed using net energy billing.

Committee Amendment "A" (S-253)

The amendment adds an appropriations and allocations section. This amendment was adopted in the Senate and the House before the bill was committed to the committee again.

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

LD 1075 An Act To Amend the Charter of the Canton Water District CARRIED OVER

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