

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
127<sup>TH</sup> 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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**STAFF:**

DIERDRE SCHNEIDER, LEGISLATIVE ANALYST  
OFFICE OF POLICY AND LEGAL ANALYSIS  
13 STATE HOUSE STATION  
AUGUSTA, ME 04333  
(207) 287-1670

# STATE OF MAINE

127<sup>TH</sup> 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 127<sup>th</sup> 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 127<sup>th</sup> 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***

This bill amends the Canton Water District charter. It adds language allowing the district to contract out work, changes provisions governing the scheduling of the annual meeting of the board of trustees in order to increase flexibility and changes the provisions regarding compensation of trustees to have the trustees recommend and the municipal officers of the Town of Canton approve compensation amounts. It removes language allowing the trustees to include their annual report in the town report. It changes a quorum at annual and special meetings of the board of trustees from five percent to a majority of those present and narrows voting at those meetings from residents of the district to customers residing in the district. It also establishes readiness-to-serve charges, allows the district to invest in mutual funds and establishes liens for unpaid rates.

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

**LD 1107      An Act To Improve the Laws Governing the Purchasing of Power      ONTP**

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

This bill requires a competitive electricity provider to offer a 40 percent discount for electricity consumed during off-peak periods.

This bill requires the Public Utilities Commission to establish by rule, a discount rate for residential and small business customers who purchase electricity from resources that qualify as new renewable capacity resources. The discount rate must be at a level that encourages the purchase of new renewable capacity resources.

This bill also requires the Public Utilities Commission to establish a rate design, by rule, for standard-offer services that provides that off-peak pricing is 40 percent lower than pricing for on-peak periods.

Lastly, the bill creates a “Cost of Electricity Study Commission.” The study commission would be comprised of 13 legislators and would be tasked with studying the following:

1. The sources and costs of electricity in the State;
2. How costs in the State compare to those in other states;
3. How the State can lower electricity prices;
4. The level of profits earned by investor-owned transmission and distribution utilities over the last 10 years; and
5. How those profits were used.

This study commission is required to submit a report that includes its findings and recommendations by December 2, 2015.

**LD 1116      An Act To Authorize the Development of Thorium Energy      ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRAKEY O'CONNOR	ONTP	

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

This bill authorizes the Public Utilities Commission to issue permits for the operation of a thorium refinery or a liquid fluoride thorium reactor in this State and provides that energy produced by a liquid thorium reactor qualifies as a renewable resource and as a renewable capacity resource under the renewable portfolio requirements.

**LD 1124      An Act To Manage Risks Associated with the Installation of Natural Gas Pipelines      PUBLIC 216**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUNPHY L WOODSOME	OTP-AM	H-406

This bill enacts construction requirements in statute for the construction of natural gas pipelines and establishes these requirements for gas utilities. The requirements govern clearance between underground facilities, crossings of other facilities and consultation with owners of proximate underground facilities. The bill also requires that the application process include providing evidence of notice to owners of facilities in the applicable public way.

**Committee Amendment "A" (H-406)**

This amendment retains sections of the bill that address the application process and objection process relating to the regulation of facilities in the public way. This amendment defines "underground location standards" and specifies that a local licensing authority may adopt underground location standards for utility facilities within its jurisdiction, except along state or state-aid highways within compact areas of urban compact municipalities, in which case the location standards adopted by the Department of Transportation serve as the minimum standard. The amendment specifies that if a local licensing authority has not adopted underground location standards for utility facilities within its jurisdiction, the standards adopted by the Department of Transportation govern. This amendment allows a local licensing authority that has not adopted standards to grant an exception to the standards adopted by the Department of Transportation if it finds that applying the standards would present an exceptional hardship or unreasonable cost under the circumstances and alternative standards will adequately ensure public safety; all affected parties, as determined by the local licensing authority, have agreed to alternative underground location standards that will adequately ensure public safety; a unique situation exists that requires an adjustment of the standards in a manner that ensures public safety; or the underground location standards exceed the limits of the available space within the right-of-way. Lastly, this amendment requires coordination among underground utility facility owners.

**Enacted Law Summary**

Public Law 2015, chapter 216 requires that the application process for a location permit include providing evidence of notice to owners of facilities in the applicable public way and allows an owner of a facility in the public way to object to an application for a location permit.

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