

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.

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

Costs, Increase Energy Efficiency, Promote Electric System Reliability and Protect the Environment," which was enacted into law as Public Law 2013, chapter 369.

Committee Amendment "A" (H-113)

This amendment incorporates a fiscal note.

Enacted Law Summary

Public Law 2015, chapter 255 adds the word "and" between "total retail electricity" and "transmission and distribution sales" in Title, 35-A MRSA, section 10110, subsection 4-A. This law was enacted to correct an error that was created when the word "and" was inadvertently omitted during the production of a bill reported out by the Joint Standing Committee on Energy, Utilities and Technology, "An Act To Reduce Energy Costs, Increase Energy Efficiency, Promote Electric System Reliability and Protect the Environment," which was enacted into law as Public Law 2013, chapter 369.

LD 1221

An Act To Enhance Energy Cost Reduction and Facilitate Heating Alternatives in furtherance of the Omnibus Energy Act

Died Between Houses

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

This bill does the following.

1. It provides that the Director of the Efficiency Maine Trust is to be appointed by the Governor, subject to review by the appropriate committee and confirmation by the Senate. However, the position would still serve at the pleasure of the Efficiency Maine Trust Board.
2. It removes the requirement that the Director of the Efficiency Maine Trust "have demonstrated experience in the planning, design or delivery of energy efficiency programs or the management of organizations that plan, design or deliver those programs."
3. It requires the Director of the Efficiency Maine Trust to "apprise the Commissioner of the Maine Energy Office regarding the execution of the director's responsibilities."
4. It corrects an error that was created when the word "and" was inadvertently omitted during the production of a bill reported out by the Joint Standing Committee on Energy, Utilities and Technology, "An Act To Reduce Energy Costs, Increase Energy Efficiency, Promote Electric System Reliability and Protect the Environment," which was enacted into law as Public Law 2013, chapter 369.
5. It renames the Governor's Energy Office the Maine Energy Office and places the office under the control and supervision of a commissioner rather than a director. The commissioner would be appointed by the Governor, subject to review by the appropriate committee and confirmation by the Senate.
6. It establishes a deputy commissioner position within the Maine Energy Office, also appointed by the Governor, subject to review by the appropriate committee and confirmation by the Senate.
7. It provides that \$300,000 from the Efficiency Maine Trust must be transferred annually to support the Maine Energy Office.

Committee Amendment "A" (H-386)

Joint Standing Committee on Energy, Utilities and Technology

This amendment is the majority report of the committee. This amendment removes section 2 of the bill, which changes the process for the appointment of the Director of the Efficiency Maine Trust. This amendment also removes section 4 of the bill, which clarifies that the procurement cap is to apply to the total retail electricity supply and transmission and distribution sales in the State. Lastly, it specifies that Efficiency Maine Trust funds provided to fund the Maine Energy Office may only be used for office activities that support or are reasonably related to programs or activities of the Efficiency Maine Trust.

This amendment adds an appropriations and allocations section.

Committee Amendment "B" (H-387)

This amendment is the minority report of the committee. This amendment specifies that the Director of the Efficiency Maine Trust is to be appointed to a six-year term. This amendment removes the requirement that the director is to serve at the pleasure of the board. This amendment also maintains existing statutory language concerning the experience a director must possess and adds "or relevant energy-related experience" to the required experience for the position.

This amendment also strikes section 4 of the bill, which clarifies that the procurement cap is to apply to the total retail electricity supply and transmission and distribution sales in the State.

This amendment also adds an appropriations and allocations section.

LD 1223 An Act To Revise the Charter of the Kennebunk Sewer District

**P & S 9
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUNPHY L WOODSOME	OTP-AM	H-341

This bill revises the Kennebunk Sewer District charter to conform to the Maine Revised Statutes, Title 38, chapter 10 and make minor changes and updates.

Committee Amendment "A" (H-341)

This amendment makes the following changes to the bill.

1. It clarifies that the costs of locating and constructing sewer facilities outside the boundaries of the Kennebunk Sewer District for Maine Regional School Unit 21 or the Town of Kennebunk are not the responsibility of the district and removes language stating that those costs are borne entirely by the unit or the town.
2. It specifies that notice of unpaid rates prior to commencing a foreclosure proceeding may be delivered by giving the notice to the owner of the real estate served or by sending the notice by certified mail, return receipt requested, to the owner's last known address or, only upon exhausting these two options, by leaving the notice at the owner's last and usual place of abode.
3. It changes the number of days after which a debt may be incurred following a special district meeting from seven to 28.
4. It removes "but not fewer than 50" in reference to the number of signatures needed on a petition to call a special election regarding the district's incurring debt.
5. It changes the date by which a referendum must be called regarding the changes to the district's charter from January 1, 2016 to January 1, 2018.