

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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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

LD 1263 Resolve, To Create Sustainable Growth in Maine's Distributed Energy Sector That Uses Market Forces To Fairly Compensate Energy Producers

RESOLVE 37

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GIDEON SAVIELLO	OTP-AM	H-368

This bill allows customers of transmission and distribution utilities to engage in net energy billing, a method under which a customer is billed on the basis of net energy over the billing period taking into account accumulated unused kilowatt-hour credits from the previous billing period. It changes the law regarding renewable resources to increase the new renewable capacity resources percentages in the portfolio requirements of competitive electricity providers and requires those increases to be met by new renewable capacity resources that rely on solar energy, and it removes the Public Utilities Commission's power to suspend scheduled increases in portfolio requirements for new renewable capacity resources. It also establishes an alternative compliance payment mechanism and a system of solar renewable energy credits, including an auction for long-term contracts for these credits, in order to provide competitive electricity providers with alternative methods to satisfy the new portfolio requirements.

Committee Amendment "A" (H-368)

This amendment replaces the bill with a resolve. The resolve directs the Public Utilities Commission to convene a stakeholder group to develop an alternative to net energy billing. This amendment provides direction for the commission in the development of an alternative. This amendment requires the commission to submit a report by January 30, 2016 to the Joint Standing Committee on Energy, Utilities and Technology that includes an overview of the stakeholder discussions; an overview of the alternative; any areas in which stakeholders were unable to reach consensus; technical specifications, rules or policies needed to carry out the alternative; a proposed timeline for implementation of the alternative; technical or legal barriers to implementation of the alternative; and any other recommendations. The committee is authorized to report out a bill to the Second Regular Session of the 127th Legislature related to the report.

Enacted Law Summary

Resolve 2015, chapter 37 directs the Public Utilities Commission to convene a stakeholder group to develop an alternative to net energy billing. The law provides direction for the commission in the development of an alternative. The law requires the commission to submit a report by January 30, 2016 to the Joint Standing Committee on Energy, Utilities and Technology that includes an overview of the stakeholder discussions; an overview of the alternative; any areas in which stakeholders were unable to reach consensus; technical specifications, rules or policies needed to carry out the alternative; a proposed timeline for implementation of the alternative; technical or legal barriers to implementation of the alternative; and any other recommendations. The committee is authorized to report out a bill to the Second Regular Session of the 127th Legislature related to the report.

LD 1293 An Act To Allow a Local Distributed Energy Pilot Program

**Accepted Majority
(ONTP) Report**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MASTRACCIO WOODSOME	ONTP OTP	

This bill establishes a pilot program to encourage municipal and private partnerships to develop solar array photovoltaic systems that provide public benefits. The total generating capacity of all solar array photovoltaic

Joint Standing Committee on Energy, Utilities and Technology

systems participating in the pilot program may not exceed 15 megawatts. Under the pilot program, up to 2.5 megawatts of energy produced by the solar array photovoltaic system may be supplied under a net energy billing arrangement to meet the energy requirements of the municipality and any public schools located in the municipality in which the solar array photovoltaic system is located. All costs to a transmission and distribution utility directly resulting from the pilot program are just and reasonable costs for ratemaking purposes.

LD 1302 An Act To Increase Competition and Ensure a Robust Information and Telecommunications Market CARRIED OVER

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

This bill makes the following changes in the laws governing provider of last resort service:

1. Removes the requirement that a provider of provider of last resort service have the capacity to maintain uninterrupted voice service during a power failure, either through the incorporation into the network or network interface devices of suitable battery backup or through electric current;
2. Provides that after December 31, 2015 and until December 31, 2021:
 - A. No voice network service provider may be required to provide provider of last resort service without its express consent;
 - B. Provider of last resort service will not be provided in any United States census tract area in which there are, in addition to the incumbent local exchange carrier, at least one voice network service provider that provides telephone exchange service to at least 94 percent of the households in the census tract area and at least one mobile telecommunications services provider that provides mobile telecommunications services to at least 94 percent of the households in the census tract area;
 - C. For all other areas of the State, referred to as potential provider of last resort service, or POLR, areas, the Public Utilities Commission is required to develop rules establishing a process for designating willing providers of provider of last resort service. An incumbent local exchange carrier that voluntarily agrees to continue providing provider of last resort service in a potential POLR area remains the provider of provider of last resort service in that area until no longer willing to provide the service or until replaced by another provider or until December 31, 2021, whichever occurs first; and
 - D. In order to encourage voice network service providers to provide provider of last resort service in potential POLR areas, the commission is allowed to make available and provide state universal service fund money to providers of provider of last resort service;
3. Provides that after December 31, 2021:
 - A. Provider of last resort service is not available and the commission may not designate any voice network service provider to provide provider of last resort service in any area of the State; and
 - B. The commission is prohibited from requiring contributions to the state universal service fund and may not disburse or authorize disbursement of any money from the fund to any voice network service provider for the purpose of ensuring reasonably comparable consumer rates; and
4. Directs the commission to examine all laws and rules relating to provider of last resort service and determine any changes that may be needed to conform those rules and laws to the provisions of this bill. The commission is