

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.

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directed to submit a report, together with any necessary draft legislation to implement its recommendations, to the Joint Standing Committee on Energy, Utilities and Technology by December 15, 2015. The committee is authorized to report out a bill relating to provider of last resort service to the Second Regular Session of the 127th Legislature.

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

LD 1309 An Act To Create the Central Maine Water District

**Died On
Adjournment**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WARREN MCCORMICK	OTP-AM	H-399

This bill consolidates the Gardiner Water District, a quasi-municipal corporation organized and existing pursuant to Private and Special Law 1903, chapter 82, as amended, and the Hallowell Water District, a quasi-municipal corporation organized and existing pursuant to Private and Special Law 1921, chapter 75, as amended, to create the Central Maine Water District. The Central Maine Water District includes within its service territory the towns of Chelsea, Farmingdale, Pittston and Randolph and the cities of Hallowell and Gardiner. The district is a standard water district with all of the powers in the Maine Revised Statutes, Title 35-A, chapter 64 except as otherwise provided in this bill; the additional powers are those provided by the Legislature to each current district in their Private and Special Law charters and amendments.

Consolidation is contingent upon its approval by a referendum vote in each of the service territory municipalities in which 25 percent or more of the households in that municipality are customers of the Hallowell Water District or the Gardiner Water District, as applicable. The municipalities in which 25 percent or more of the households in that municipality are customers of the district currently are the cities of Hallowell and Gardiner and the towns of Farmingdale and Randolph.

Committee Amendment "A" (H-399)

This amendment removes from the bill provisions restricting the decision to form the Central Maine Water District and have it acquire the assets and liabilities of the Hallowell Water District and the Gardiner Water District to the legal voters of municipalities in which 25 percent or more of the households would be customers of the proposed district and replaces them with provisions extending the decision to so vote to all the legal voters of the proposed district. It also provides for two additional referendum questions: one for the voters in the City of Hallowell to vote whether to permit the Hallowell Water District to turn over its assets and liabilities to the Central Maine Water District and eventually dissolve as a corporate entity and one for the voters in the City of Gardiner to vote whether to permit the Gardiner Water District to turn over its assets and liabilities to the Central Maine Water District and eventually dissolve as a corporate entity. It requires that all three questions must be voted affirmatively for the Central Maine Water District to be formed. It also changes the charter to require a districtwide referendum to increase the district's debt limit.

LD 1310 An Act To Amend the Community-based Renewable Energy Program

PUBLIC 232

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DECHANT	OTP-AM ONTP	H-269

This bill makes various changes to the community-based renewable energy pilot program. It makes the program permanent, broadens eligibility, adds provisions to ensure program participant viability, eliminates the program

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incentive of renewable energy credit multipliers and requires the Public Utilities Commission to use a periodic competitive bidding process to choose projects that will receive long-term contracts.

Committee Amendment "A" (H-269)

This amendment is the majority report of the committee and strikes and replaces the bill. The amendment provides a definition for the term "net generating capacity." The amendment changes the limits on generating capacity from installed generating capacity to net generating capacity. The amendment reduces the reserved amount of megawatts from 10 to two for program participants that have a net generating capacity of less than 100 kilowatts or are located in the service territory of a consumer-owned transmission and distribution utility. The amendment removes the scheduled repeal of the law regulating community-based renewable energy and clarifies that the Public Utilities Commission may not issue an order after December 31, 2015 directing an investor-owned transmission and distribution utility to enter into any long-term contract or allow a consumer-owned transmission and distribution utility to enter into any long-term contract. The amendment specifies that all community-based renewable energy projects that have been selected for a long-term contract must become operational and commence generating electricity by December 31, 2018.

The amendment requires the commission to review all certified program participant projects that have not yet reached commercial operations to determine whether projects are reasonably likely to achieve commercial operations within three-year time period. This amendment provides that those projects determined not viable remain certified, but any contract that had been issued is to be revoked. The amendment allows the commission to conduct an expedited request for proposals to select community-based renewable energy projects to become program participants and enter into long-term contracts, if there is capacity remaining after the removal of nonviable projects. The amendment specifies that only those projects that provide the most benefit to ratepayers and have contract pricing below 10 cents per kilowatt hour within each contract year may be chosen. Lastly, this amendment prohibits a project under this process from choosing the renewable energy credit multiplier incentive. Those projects that are operational and have elected the renewable energy credit multiplier do not count towards the 50-megawatt cap on net generating capacity.

Enacted Law Summary

Public Law 2015, chapter 232 provides a definition for the term "net generating capacity." It changes the limits on generating capacity from installed generating capacity to net generating capacity. It reduces the reserved amount of megawatts from 10 to two for program participants that have a net generating capacity of less than 100 kilowatts or are located in the service territory of a consumer-owned transmission and distribution utility. It removes the scheduled repeal of the law regulating community-based renewable energy and clarifies that the Public Utilities Commission may not issue an order after December 31, 2015 directing an investor-owned transmission and distribution utility to enter into any long-term contract or allow a consumer-owned transmission and distribution utility to enter into any long-term contract. It specifies that all community-based renewable energy projects that have been selected for a long-term contract must become operational and commence generating electricity by December 31, 2018.

It requires the commission to review all certified program participant projects that have not yet reached commercial operations to determine whether projects are reasonably likely to achieve commercial operations within three-year time period. It provides that those projects determined not viable remain certified, but any contract that had been issued is to be revoked. It allows the Public Utilities Commission to conduct an expedited request for proposals to select community-based renewable energy projects to become program participants and enter into long-term contracts, if there is capacity remaining after the removal of nonviable projects. It specifies that only those projects that provide the most benefit to ratepayers and have contract pricing below 10 cents per kilowatt hour within each contract year may be chosen. Lastly, it prohibits a project under this process from choosing the renewable energy credit multiplier incentive and those projects that are operational and have elected the renewable energy credit multiplier do not count towards the 50-megawatt cap on net generating capacity.