

# 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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# 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.

<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 &amp; 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&amp;S XXX</i> .....	<i>chapter # of enacted private &amp; 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 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*

**LD 1323 An Act To Expand Rural Broadband**

**ONTP**

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

This bill allows municipalities and counties to create corporate entities with bonding authority to issue bonds for the purpose of funding construction or providing loans for the construction of broadband infrastructure to serve the municipality or county and ensure comprehensive broadband coverage within the municipality or county. The bill further clarifies that the expansion of broadband using optical fiber is an authorized expense under the state universal service fund administered by the Public Utilities Commission. Finally, this bill amends the State's goals for broadband policy by requiring that the ConnectME Authority define "broadband" to have at least the same speed as the current Federal Communications Commission standard and to create a standard providing that upload and download speeds are the same.

**LD 1329 An Act To Maximize the Benefits of Renewable Energy in Maine**

**Died Between Houses**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
O'CONNOR WOODSOME	ONTP OTP-AM	

This bill makes a number of changes to the findings, scenic impact provisions and other provisions of law governing wind energy and renewable energy development. It:

1. Modifies legislative findings regarding wind energy to expand the scope of the findings to include other renewable energy resources and to identify various potential impacts of wind energy development;
2. Reduces state goals for new wind energy development;
3. Requires grid-scale wind energy developers to file decommissioning plans and to provide a performance bond to guarantee the funding for decommissioning;
4. Requires that a community benefits package supplied by an expedited wind energy development to host communities be memorialized as a written agreement and creates a lien on the real estate of the development to secure the receipt by the host community of those benefits; and
5. Modifies the authority of the Public Utilities Commission to require transmission and distribution utilities to enter into long-term contracts for renewable energy capacity resources, and it provides that the Public Utilities Commission may require contracts only for firm capacity or energy.

**Committee Amendment "A" (H-347)**

This amendment is the minority report of the committee. This amendment replaces the bill. Like the bill, this amendment modifies the legislative findings of the Maine Wind Energy Act to expand the scope to include other renewable energy sources, not just wind. Like the bill, this amendment provides in the legislative findings of the Maine Wind Energy Act that conversion or replacement energy fuel sources for powering motor vehicles and for heating well-insulated residential and commercial buildings may enhance energy independence, reduce energy costs and reduce greenhouse gas emissions. This amendment removes the provision of the legislative findings of the

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

Maine Wind Energy Act that addresses the need for modification of regulatory process for siting wind energy developments.

This amendment, like the bill, requires grid-scale wind energy developers to file decommissioning plans and to provide a performance bond to guarantee the funding for decommissioning. This amendment requires the Department of Environmental Protection to adopt routine technical rules related to the decommissioning of grid-scale wind energy development. The amendment also adds an appropriations and allocations section.

**LD 1339     An Act To Provide Relief to Maine Ratepayers**

**CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
THIBODEAU DUNPHY L		

This bill direct the Public Utilities Commission to reject all bids to provide standard offer service, suspend the renewable portfolio standard, and issue a new request for proposals, if the Commission does not receive a bid below 10 cents per kilowatt hour for a class of customers in a transmission and distribution utility’s service territory. If, following the new request for proposals, a bid is accepted by the Commission for less than 10 cents per kilowatt hour, the suspension of the renewable portfolio standards remains in effect for the duration of that standard offer period.

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

**LD 1355     An Act To Improve Residential Renewable Energy Use**

**ONTP**

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

This bill:

1. Allows a transmission and distribution utility to provide to residential or small commercial customers on-bill financing of customer costs of installing solar energy systems in accordance with rules adopted by the Public Utilities Commission; and
2. Directs the Efficiency Maine Trust to establish a program to provide technical and financial assistance to persons installing residential photovoltaic systems that can supply energy to operate heat pump systems in residences.

**LD 1362     An Act Concerning Membership on the Board of Directors of the  
Lewiston-Auburn Water Pollution Control Authority**

**P & S 8**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRAKEY	OTP-AM	S-112

This bill changes the charter of the Lewiston-Auburn Water Pollution Control Authority in order to allow the Auburn Sewerage District Trustees to appoint a trustee or resident of Auburn to replace the president of the Auburn Sewerage District Trustees on the board of directors of the authority should the president decline to serve or resign as a member of the board. In current law, the president appoints a successor, who must be a trustee.