

# 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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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***

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.

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

**Committee Amendment "A" (S-112)**

This amendment provides that, if the president of the Auburn Sewerage District Trustees declines to serve or resigns as a member of the board of the Lewiston-Auburn Water Pollution Control Authority, the president must select, subject to confirmation by the Auburn Sewerage District Trustees, another trustee or resident of Auburn to serve the remainder of the term; the bill provides that the trustees select the president's replacement.

**Enacted Law Summary**

Private and Special Law 2015, chapter 8 changes the charter of the Lewiston-Auburn Water Pollution Control Authority to provide that if the president of the Auburn Sewerage District Trustees declines to serve or resigns as a member of the board of the Lewiston-Auburn Water Pollution Control Authority, the president must select, subject to confirmation by the Auburn Sewerage District Trustees, another trustee or resident of Auburn to serve the remainder of the term.

**LD 1363      An Act To Secure the Maine Electrical Grid from Long-term Blackouts      Died Between Houses**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MIRAMANT BEAVERS	ONTP OTP-AM OTP-AM	

This bill gives the Public Utilities Commission the authority to require transmission and distribution utilities to take necessary actions to ensure that their systems are protected from or able to negate effects of geomagnetic disturbances and electromagnetic pulses. This bill provides that any costs incurred by a transmission and distribution utility as a result of a directive by the commission are just and reasonable for rate-making purposes; however, the costs of a failure of a transmission and distribution system resulting from geomagnetic disturbances or electromagnetic pulses are the responsibility of the transmission and distribution utility and may not be borne by ratepayers.

The bill also directs the Public Utilities Commission, by July 1, 2016, to direct transmission and distribution utilities to undertake mitigation measures, including but not limited to the installation of additional geomagnetically induced current monitoring sites, neutral current blocking devices and supervisory control and data acquisition system protectors and the holding of sufficient spare transformers on site to more quickly replace damaged transformers. Identified measures were included in the Public Utilities Commission report dated January 20, 2014, entitled Report to the Legislature Pursuant to Resolves 2013, Chapter 45, Regarding Geomagnetic Disturbances (GMD) and Electromagnetic Pulse (EMP).

**Committee Amendment "A" (S-215)**

This amendment is a minority report of the committee. It removes the directive to the Public Utilities Commission to order transmission and distribution utilities to undertake actions to ensure their systems are protected from or able to negate effects of electromagnetic pulses and limits the directive to severe geomagnetic disturbances only. The amendment specifies that any action directed by the commission must be cost-effective and at a minimum consistent with the Federal Energy Regulatory Commission's reliability standards. It removes language that prohibits a transmission and distribution utility from collecting from ratepayers costs to address the failure of the system due to geomagnetic disturbances or electromagnetic pulses.

The amendment changes the specific mitigation measures the bill requires the Public Utilities Commission to direct transmission and distribution utilities to undertake to protect their systems from geomagnetic disturbances and electromagnetic pulses and instead requires that the commission order transmission and distribution utilities to