

MAINE STATE LEGISLATURE

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STATE OF MAINE
127TH LEGISLATURE
SECOND REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed

**JOINT STANDING COMMITTEE ON ENERGY, UTILITIES
AND TECHNOLOGY**

May 2016

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STAFF:

DEIRDRE SCHNEIDER, LEGISLATIVE ANALYST
OFFICE OF POLICY AND LEGAL ANALYSIS
13 STATE HOUSE STATION
AUGUSTA, ME 04333
(207) 287-1670
<http://legislature.maine.gov/legis/opla/>

STATE OF MAINE

127TH LEGISLATURE

SECOND REGULAR SESSION



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 Second 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 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 July 29, 2016. 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 1315 An Act To Amend Maine's Restructuring Laws

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUNPHY L MASON G	ONTP	

This bill was carried over from the First Regular Session of the 127th Legislature.

This bill allows an investor-owned transmission and distribution utility to own generation assets if the Public Utilities Commission determines that ownership is beneficial to the utility's ratepayers.

LD 1339 An Act To Provide Relief to Maine Ratepayers

Died Between Houses

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
THIBODEAU M DUNPHY L	ONTP OTP-AM	

This bill was carried over from the First Regular Session of the 127th Legislature.

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 ten 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 ten cents per kilowatt hour, the suspension of the renewable portfolio standards remains in effect for the duration of that standard offer period.

Committee Amendment "A" (S-424)

This amendment, which is the minority report, strikes the bill and instead allows the Public Utilities Commission, when it determines that electricity supply prices are at historically high levels, to set the alternative compliance payment rate for new renewable capacity resources at a level that reduces higher revenue for generators of new renewable capacity resources. The amendment also specifies that if the annualized average standard offer electricity supply pricing for residential customers is 10 cents per kilowatt hour or higher, the commission must reduce the alternative compliance payment rate by 100 percent, which has the effect of suspending the renewable portfolio requirement.

This amendment was not adopted.

LD 1382 An Act To Assist Low-income Electricity Consumers

Accepted Majority (ONTP) Report

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

This bill was carried over from the First Regular Session of the 127th Legislature.

Joint Standing Committee on Energy, Utilities and Technology

This bill amends the statutes regarding electric industry restructuring and Public Law 2013, chapter 369 to allocate Maine Yankee settlement funds to assist low-income electricity ratepayers in accordance with the Maine Revised Statutes, Title 35-A, section 3214, subsection 2 by directing that transmission and distribution utilities are to pay to the Public Utilities Commission all funds received and that certain remaining funds be used for investments in measures that reduce residential heating costs for low-income electricity customers.

Committee Amendment "A" (S-364)

This is the minority report of the committee and replaces the bill. This amendment amends Public Law 2013, chapter 369 to require the Public Utilities Commission to distribute 50 percent of funds received by transmission and distribution utilities pursuant to litigation with the United States Department of Energy concerning decommissioning costs related to Maine Yankee Atomic Power Company to the Efficiency Maine Trust from fiscal year 2016-17 to fiscal year 2019-20. The amendment requires that settlement funds received by the trust be used for measures, investments, loans, arrangements and technical assistance to assist low-income residential electric utility customers with energy efficiency improvements to residential buildings and upgrades to efficient heating systems that will reduce energy consumption and greenhouse gas emissions. The amendment also specifies that the other 50 percent of the settlement funds must be used to reduce a transmission and distribution utility's rates in a manner that provides maximum benefit to the economy of the State. Lastly, the amendment specifies that after fiscal year 2019-20 the commission shall require the remaining funds to be used to reduce a transmission and distribution utility's rates in a manner that provides maximum benefit to the economy of the State.

This amendment was not adopted.

LD 1398 An Act To Reduce Electric Rates for Maine Businesses

PUBLIC 498

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MASON G DUNPHY L	OTP-AM OTP-AM	S-422 S-471 WOODSOME D

This bill was carried over from the First Regular Session of the 127th Legislature.

This bill does the following.

1. It decreases the amount of Regional Greenhouse Gas Initiative Trust revenue from a minimum of 50% to a minimum of 10% to be allocated to the reduction of electricity consumption or the reduction of greenhouse gas emissions and the lowering of energy costs at commercial or industrial facilities.
2. It adds loans and technical assistance to the required uses of the allocated funds.
3. It specifies the fiscal years of 2016-17, 2017-18 and 2018-19 for funds to be allocated.
4. It increases the amount of Regional Greenhouse Gas Initiative Trust revenue to be disbursed to ratepayers from 15% to 55% and specifies that the disbursement is to "business" ratepayers instead of just ratepayers as it is in the existing law and it limits that disbursement to business ratepayers to fiscal year 2015-16.

Committee Amendment "A" (S-422)

This amendment is the majority report of the committee and it strikes and replaces the bill. This amendment provides that \$3,000,000 of the Regional Greenhouse Gas Initiative Trust Fund revenue is to be returned to certain affected customers in the form of an annual disbursement during fiscal years 2016-17, 2017-18 and 2018-19. The amendment requires that the Public Utilities Commission determine the allocation of disbursements based on an affected customer's proportion of the customer's retail purchase of electricity as measured in kilowatt-hours for the