

# 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

FIRST 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 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**

install and operate equipment to protect and monitor their 345-kilovolt transformers and other critical equipment against severe geomagnetic disturbances. This amendment requires the work to protect the 345-kilovolt transformers be completed no later than December 31, 2020, but the time frame for that work is to be determined from a collaboration between the commission and transmission and distribution utilities.

**Committee Amendment "B" (S-216)**

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. It also requires the commission to direct transmission and distribution utilities to monitor their 345-kilovolt transformers to ensure they are protected from severe geomagnetic disturbances. This amendment specifies that any action directed by the commission must be cost-effective and consistent with the Federal Energy Regulatory Commission's reliability standards. It removes language that specifies that all costs incurred by transmission and distribution utilities as a result of the requirements imposed under the Maine Revised Statutes, Title 35-A, section 3144 are just and reasonable for rate-making purposes. It also 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.

This amendment removes section 2 of the bill, which requires the commission by July 1, 2016 to direct transmission and distribution utilities to undertake specific mitigation measures to protect against geomagnetic disturbances and electromagnetic pulses.

**LD 1382 An Act To Assist Low-income Electricity Consumers**

**CARRIED OVER**

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

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.

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

**LD 1397 An Act To Establish the Affordable Heating from Maine's Forests Fund**

**Accepted Majority (ONTP) Report**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TIMBERLAKE EDGEComb P	ONTP OTP-AM	

This bill establishes the Affordable Heating from Maine's Forests Fund, administered by the Efficiency Maine Trust. The fund receives revenue from the sale of timber and other things of value from Maine's public reserved lands. In 2015 a minimum of \$1,000,000 must be transferred from the Public Reserved Lands Management Fund to the Affordable Heating from Maine's Forests Fund. Subsequent transfers are based on revenue accrued over the 2012 revenue amounts of the Public Reserved Lands Management Fund, subject to some limitations. The Efficiency Maine Trust is required to use the funding for measures that reduce residential heating costs and must prioritize rural and low-income residences.

*Joint Standing Committee on Energy, Utilities and Technology*

**Committee Amendment "A" (H-455)**

This amendment, which is the minority report of the committee, adds an appropriations and allocations section.

**LD 1398 An Act To Reduce Electric Rates for Maine Businesses**

**CARRIED OVER**

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

This bill increases the amount of Regional Greenhouse Gas Initiative Trust Fund revenue that is to be returned to business ratepayers. Currently 15 percent of the funds are returned to businesses, and this bill increases it to 55 percent. The bill adds loans and technical assistance to the required uses of the allocated funds, which also include measures, investments and arrangements that reduce electricity consumption or reduce greenhouse gas emissions and lower energy costs at commercial or industrial facilities. It changes the percent allocated for those measures from 50 percent to 10 percent and adds the fiscal years of 2016-17, 2017-18 and 2018-19 for funds to be allocated.

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

**LD 1399 An Act To Improve Natural Gas Price Competitiveness for Maine's Manufacturers**

**ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BURNS MAKER	ONTP	

This bill authorizes the Public Utilities Commission to order one or more gas utilities or transmission and distribution utilities to enter into a backstop agreement under which a designated replacement shipper agrees to enter into a service agreement with an interstate natural gas pipeline for the long-term interstate natural gas pipeline capacity of an eligible customer.

**LD 1400 An Act To Focus Energy Laws on Energy Cost**

**Died Between Houses**

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

This bill directs the Public Utilities Commission to select a distributed generation aggregator to gather individual owners of distributed generation assets together to maximize the supply benefits of distributed generation and compensate owners of distributed generation assets for the energy supply benefits they provide ratepayers, including benefits related to energy supply, energy capacity and renewable energy credits. Effective January 1, 2016, the bill repeals the renewable portfolio standard, which requires competitive electricity providers to demonstrate to the Public Utilities Commission that a certain percentage of their portfolio of supply sources for retail electricity sales comes from renewable resources, new renewable capacity resources and efficient resources. The bill repeals the provision governing net energy billing, which is a billing and metering practice 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. The bill changes the long-term contracting authority of the Public Utilities Commission