

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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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

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

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prior calendar year. This amendment defines "affected customer." Affected customers that elect to use the disbursement toward an efficiency measure approved by the Efficiency Maine Trust would receive \$1 of assistance from the trust for every \$3 that is applied toward the measure by the affected customer as long as the total of assistance from the trust and the disbursement allocated by the commission does not exceed 65% of the total cost of the measure. This amendment also specifies that, other than the \$1 for every \$3 invested assistance, during the fiscal years in which the disbursements are allotted an affected customer is not eligible to receive financial or other assistance from the trust fund, except in relation to program opportunities noticed prior to July 1, 2016. This amendment requires that the commission include in the commission's annual report a description of its activities in relation to the disbursement process, a list of affected customers receiving disbursements and those affected customers who elect to use the disbursement toward efficiency measures and the results of the program.

This amendment requires that any revenue remaining after providing disbursements and accounting for other costs authorized be allocated in a proportional share to residential programs and commercial and industrial programs. This amendment adds that the remaining money be allocated to measures that also increase energy efficiency and that measures to reduce the cost of residential heating are available to low-income households. It also allows the trust to consider measures at commercial and industrial facilities that lower peak capacity demand when promoting electricity savings.

Committee Amendment "B" (S-423)

This amendment is the minority report of the committee and it strikes and replaces the bill. This amendment provides that \$2,000,000 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 prior calendar year. This amendment defines "affected customer." Affected customers that elect to use the disbursement toward an efficiency measure approved by the Efficiency Maine Trust would receive \$1 of assistance from the trust for every \$3 that is applied toward the measure by the affected customer as long as the total of assistance from the trust and the disbursement allocated by the commission does not exceed 65% of the total cost of the measure. This amendment also specifies that, other than the \$1 for every \$3 invested assistance, during the fiscal years in which the disbursements are allotted an affected customer is not eligible to receive financial or other assistance from the trust fund, except in relation to program opportunities noticed prior to July 1, 2016. This amendment requires that the commission include in the commission's annual report a description of its activities in relation to the disbursement process, a list of affected customers receiving disbursements and those affected customers who elect to use the disbursement toward efficiency measures and the results of the program.

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This amendment was not adopted.

Senate Amendment "A" To Committee Amendment "A" (S-471)

This amendment allocates funds to the Public Utilities Commission to allow the commission to make disbursements to affected customers.

Enacted Law Summary

Public Law 2015, chapter 498 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. This law requires that the Public Utilities Commission determine the allocation of

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disbursements based on an affected customer's proportion of the customer's retail purchase of electricity as measured in kilowatt-hours for the prior calendar year. This law defines "affected customer." Affected customers that elect to use the disbursement toward an efficiency measure approved by the Efficiency Maine Trust would receive \$1 of assistance from the trust for every \$3 that is applied toward the measure by the affected customer as long as the total of assistance from the trust and the disbursement allocated by the commission does not exceed 65% of the total cost of the measure. This law also specifies that other than the \$1 for every \$3 invested assistance, during the fiscal years in which the disbursements are allotted an affected customer is not eligible to receive financial or other assistance from the trust fund, except in relation to program opportunities noticed prior to July 1, 2016. This law requires that the commission include in the commission's annual report a description of its activities in relation to the disbursement process, a list of affected customers receiving disbursements and those affected customers who elect to use the disbursement toward efficiency measures and the results of the program.

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LD 1482 An Act To Revise the Charter of the Rumford Water District

P & S 14

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PATRICK J	OTP-AM	S-347 S-349 WOODSOME D

This bill revises the charter of the Rumford Water District.

Committee Amendment "A" (S-347)

This amendment clarifies that property rights, powers or authorities the Rumford Water District acquired through the acquisition of Union Construction Company, Virginia Spring Water Company, Rumford Falls Light and Water Company and the Mexico Water Company are not affected by the revised charter of the Rumford Water District unless those rights, powers or authorities are inconsistent with the revised charter of the Rumford Water District.

Senate Amendment "A" (S-349)

This amendment updates the language regarding the board of trustees for the Rumford Water District by removing language that is no longer applicable because the district is already in existence and has an established board of trustees. It makes clear that trustees are to be residents of the district and are to serve staggered terms. It also changes the expiration of a trustee's term from the first Monday in April to the first Monday in August.

Enacted Law Summary

Private and Special Law 2015, chapter 14 revises the charter of the Rumford Water District to make it more consistent with the Standard Water District Enabling Act and to update provisions to be consistent with current district practices.