

MAINE STATE LEGISLATURE

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STATE OF MAINE
127TH 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

127TH 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 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.

| | |
|--|--|
| <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 & 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&S XXX</i> | <i>chapter # of enacted private & 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 127th 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

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

Joint Standing Committee on Energy, Utilities and Technology

and specifies that it is the policy of the State with respect to long-term contracts to reduce electricity rates and costs for the State's residential and business customers and reduce pollution.

Committee Amendment "A" (S-217)

This amendment is the minority report of the committee. This amendment changes the date of repeal of the renewable portfolio standard from January 1, 2016 to January 1, 2017. This amendment removes portions of the bill that direct the Public Utilities Commission to select a distributed generation aggregator. Lastly, this amendment authorizes the Public Utilities Commission to contract for energy efficiency capacity resources, either through a competitive solicitation or through a contract with the Efficiency Maine Trust.

LD 1444 An Act To Correct an Inconsistency in the So-called Dig Safe Law

PUBLIC 213

Sponsor(s)

Committee Report

Amendments Adopted

This bill aims to correct an inconsistency in the so-called Dig Safe Law. It requires that an excavation must commence within 30 days after notification by an excavator to the underground facility damage prevention system and requires that if work is not completed within 60 calendar days of notification, an excavator must again notify the system in accordance with the Maine Revised Statutes, Title 23, section 3360-A.

This bill is reported out by the Joint Standing Committee on Energy, Utilities and Technology pursuant to Public Law 2013, chapter 557, section 3. The law directed the Public Utilities Commission to review Public Utilities Commission Rule Chapter 895: Underground Facility Damage Prevention Requirements. The commission submitted a report to the committee and made recommendations based on this review and after receiving stakeholder input.

Enacted Law Summary

Public Law 2015, chapter 213 corrects an inconsistency in the so-called Dig Safe Law. It requires that an excavation must commence within 30 days after notification by an excavator to the underground facility damage prevention system and requires that if work is not completed within 60 calendar days of notification, an excavator must again notify the system in accordance with the Maine Revised Statutes, Title 23, section 3360-A.