

MAINE STATE LEGISLATURE

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STATE OF MAINE
128TH LEGISLATURE
FIRST SPECIAL, SECOND REGULAR AND SECOND SPECIAL SESSIONS



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

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

October 2018

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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/opla/>

STATE OF MAINE
128TH LEGISLATURE
FIRST SPECIAL, SECOND REGULAR AND SECOND SPECIAL SESSIONS



**LEGISLATIVE DIGEST OF BILL SUMMARIES AND
ENACTED LAWS**

This *Legislative Digest of Bill Summaries and Enacted Laws* contain summaries of all LDs and adopted amendments and all laws enacted or finally passed during the First Special, Second Regular and Second Special Sessions of the 128th 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 FINAL 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 dates for non-emergency legislation enacted in the First Special, Second Regular or Second Special Sessions of the 128th Legislature are: Monday, February 5, 2018; Wednesday, August 1, 2018; and Thursday, December 13, 2018, respectively. 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 was carried over from the First Regular Session to the Second Regular Session of the 128th Legislature.

This bill is a concept draft pursuant to Joint Rule 208.

This bill proposes to establish measures to allow municipalities, working cooperatively with electrical utilities, to create microgrids, which are electricity distribution systems consisting of distributed energy sources, including demand management, storage and generation and loads capable of operating in parallel with, or independently from, the main power grid. This bill would address the following requirements:

1. The generation of electricity from renewable sources into the microgrid;
2. Methods for adding capacity for storage and managing or enabling a utility to manage the charging of the microgrid and the use of the stored power;
3. An appropriate rate for power generation and stored power usage;
4. A credit applicable toward municipal electricity utilization or assignable to organizations or households according to municipal public service decisions; and
5. Contracts with utilities to receive compensation for scheduling or shedding of electrical load in order to lower peak demand and consequently ratepayer prices.

Committee Amendment "A" (H-720)

This amendment is the majority report of the committee and it replaces the bill, which is a concept draft. It directs the Public Utilities Commission to approve a petition to construct and operate a new microgrid if the commission finds the proposal to be in the public interest and the new microgrid meets other specified requirements. It provides the commission with the ability to impose such terms, conditions or requirements as, in its judgment, it considers necessary in approving a new microgrid and also gives the commission oversight to ensure reliability and security of the electrical system and consumer protections for new microgrid consumers. It specifies that a new microgrid does not become a public utility as a result of its furnishing electrical service to participating consumers. It provides that a new microgrid that has been approved by the commission may construct, maintain or operate its lines in, upon, along, over, across or under the roads and streets. The amendment directs the Public Utilities Commission to submit a report to the joint standing committee of the Legislature having jurisdiction over energy and utility matters by January 15, 2020, detailing its activities related to new microgrids.

LD 260

An Act To Create the Maine Energy Office

**Died On
Adjournment**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| FREDETTE K | OTP-AM | |

This bill was carried over from the First Regular Session to the Second Regular Session of the 128th Legislature. It was reported out of committee in the Second Regular Session and then carried over to the next special session by joint order S.P. 748.

This bill:

1. Renames the Governor's Energy Office the Maine Energy Office. It repeals the language in the Maine Revised Statutes, Title 2 that establishes the office and establishes it instead in Title 35-A, expands the headnote for Title 35-A and places the office under the control and supervision of a commissioner, rather than a director;

Joint Standing Committee on Energy, Utilities and Technology

2. Establishes in the Maine Energy Office a position of deputy commissioner, to be appointed by the Governor, subject to confirmation by the Senate; and
3. Specifies that an amount equal to \$300,000 from the Efficiency Maine Trust must be transferred annually to the Maine Energy Office.

Committee Amendment "A" (H-768)

This amendment does the following:

1. Specifies that the Commissioner of the Maine Energy Office instead of the Director of the Governor's Energy Office serves on the Efficiency Maine Trust Board;
2. Specifies that the deputy commissioner serves at the pleasure of the commissioner and not of the Governor as in the bill;
3. Removes the \$300,000 annual funding for the Maine Energy Office from the Efficiency Maine Trust, but includes from current law that the office may receive funds from the Efficiency Maine Trust for office activities that reasonably relate to programs or activities of the Efficiency Maine Trust;
4. Removes unnecessary language regarding energy infrastructure corridors;
5. Adds an appropriations and allocations section; and
6. Adds an effective date of January 1, 2019.

LD 423 An Act To Extend Internet Availability in Rural Maine

**Died On
Adjournment**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|--------------------|-------------------------|---------------------------|
| ALLEY R MAKER J | OTP-AM ONTP | H-17 H-19 BERRY S |

This bill was reported out of committee in the First Regular Session of the 128th Legislature and then carried over to the Second Regular Session of the 128th Legislature on the Special Appropriations Table. The bill was again carried over, still on the Special Appropriations Table, from the Second Regular Session to the next special session by joint order S.P. 748.

This bill provides one-time funding to extend for two years a program that provides mobile wireless hot spot devices to libraries in Washington County.

Committee Amendment "A" (H-17)

This amendment incorporates a fiscal note.

House Amendment "A" (H-19)

This amendment removes the emergency preamble and emergency clause and provides the funding in fiscal year 2017-18.