

MAINE STATE LEGISLATURE

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STATE OF MAINE
128TH LEGISLATURE
FIRST REGULAR SESSION



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

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

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STATE OF MAINE

128TH LEGISLATURE
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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 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 date for non-emergency legislation enacted in the First Regular Session of the 128th Legislature is Wednesday, November 1, 2017. 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

Enacted Law Summary

Public Law 2017, chapter 201 does the following.

1. It extends from six months to nine months the time the Public Utilities Commission has to issue an order for a petition for the approval of a proposed line;
2. It changes the timing of a nontransmission alternatives investigation required for proposed transmission lines or projects by requiring the investigation be completed during the course of the proceeding to consider the petition for an approval of a proposed transmission line or project instead of being done prior to filing that petition; and
3. It requires the Public Utilities Commission to issue an order in an adjudicatory proceeding regarding the investigation into the designation of a nontransmission alternatives coordinator and submit a report to the Joint Standing Committee on Energy, Utilities and Technology by January 1, 2018 on the outcome of that proceeding.

LD 756

An Act To Clarify the Authority of an Affiliate of a Utility To Own Power Generation outside of the Utility's Territory

PUBLIC 287

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HARVELL L KEIM L	OTP-AM	H-314 S-220 WOODSOME D

This bill authorizes an affiliate of an investor-owned transmission and distribution utility to own generation or generation-related assets unless the assets are interconnected to the transmission or distribution facilities that are owned or operated by the utility or the affiliate is a wholly owned or partially owned subsidiary of the utility.

Committee Amendment "A" (H-314)

This amendment replaces the bill. It allows an affiliate of an investor-owned transmission and distribution utility to own generation or generation-related assets in accordance with standards of conduct adopted by the Public Utilities Commission, unless the generation or generation-related assets are directly interconnected to the facilities owned or operated by that investor-owned transmission and distribution utility. It directs the Public Utilities Commission to adopt major substantive rules that establish standards of conduct governing the relationship between an investor-owned transmission and distribution utility and an affiliate that ensure the separation and independence of the affiliate and protects ratepayers.

The amendment allows an affiliate of an investor-owned transmission and distribution utility that owns generation or generation-related assets that are not directly interconnected to the facilities owned or operated by that investor-owned transmission or distribution utility to continue to own those generation or generation-related assets. Upon adoption of rules by the Public Utilities Commission, the affiliate is subject to the standards of conduct adopted by the commission.

Senate Amendment "A" To Committee Amendment "A" (S-220)

This amendment provides that any affiliate generation or generation-related assets that are permitted under the bill but do not have a long-term contract or term sheet approved by the Public Utilities Commission as of July 1, 2017 are ineligible to participate in a long-term contract under the Maine Revised Statutes, Title 35-A.

Enacted Law Summary

Public Law 2017, chapter 287 allows an affiliate of an investor-owned transmission and distribution utility to own generation or generation-related assets in accordance with standards of conduct adopted by the Public Utilities Commission, unless the generation or generation-related assets are directly interconnected to the facilities owned or operated by that investor-owned transmission and distribution utility. It directs the Public Utilities Commission to

Joint Standing Committee on Energy, Utilities and Technology

adopt major substantive rules that establish standards of conduct governing the relationship between an investor-owned transmission and distribution utility and an affiliate that ensure the separation and independence of the affiliate and protects ratepayers.

This law provides that any affiliate generation or generation-related assets that are permitted under the bill but do not have a long-term contract or term sheet approved by the Public Utilities Commission as of July 1, 2017 are ineligible to participate in a long-term contract under the Maine Revised Statutes, Title 35-A.

Lastly, this law allows an affiliate of an investor-owned transmission and distribution utility that owns generation or generation-related assets that are not directly interconnected to the facilities owned or operated by that investor-owned transmission or distribution utility to continue to own those generation or generation-related assets, but will subject to the standards of conduct upon adoption of rules by the Public Utilities Commission.

LD 757 An Act To Amend the Charter of the Richmond Utilities District

P & S 7

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PIERCE J	OTP-AM	H-115

This bill amends the charter of the Richmond Utilities District to remove the cap on the district's total indebtedness and to update obsolete language and references.

Committee Amendment "A" (H-115)

This amendment adds to the bill a change to the notice requirement for proposed financing of costs greater than \$30,000 from seven days to fourteen days and requires that notice be provided in a newspaper or newsletter having a general circulation in the Town of Richmond and be mailed to district voters and customers via postcard or bill insert instead of in only a newspaper. The amendment also removes a section of the Richmond Utilities District charter that allows the trustees to propose a different debt limit than in the charter and submit that proposal for districtwide approval in a referendum because the bill removes the cap on indebtedness of the district.

Enacted Law Summary

Private and Special Law 2017, chapter 7 amends the charter of the Richmond Utilities District to remove the cap on the district's total indebtedness and to update obsolete language and references. This law also changes the notice requirement for proposed financing of costs greater than \$30,000 from seven days to fourteen days and requires that notice be provided in a newspaper or newsletter having a general circulation in the Town of Richmond and be mailed to district voters and customers via postcard or bill insert instead of being provided only in a newspaper. This law also removes a section of the Richmond Utilities District charter that allows the trustees to propose a different debt limit than in the charter and submit that proposal for districtwide approval in a referendum because the cap on indebtedness of the district is removed by the passage of this law.

LD 759 An Act To Clarify the Financial Authority of Sewer and Sanitary Districts

PUBLIC 151

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
O'CONNOR B WOODSOME D	OTP-AM	H-343

This bill clarifies the authority of sewer districts and sanitary districts to administer financial resources. It allows sewer districts and sanitary districts to invest their funds in the same way as municipalities. It clarifies that sewer districts have full authority to collect rates and fees.