

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**

August 2017

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STATE OF MAINE

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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

Committee Amendment "A" (H-343)

This amendment instead of simply stating that a sewer or sanitary district may invest its funds to the same extent as a municipality, includes the applicable provisions from the Maine Revised Statutes, Title 30-A, chapter 223, subchapter 3-A in the statutes governing sewer and sanitary districts.

Enacted Law Summary

Public Law 2017, chapter 151 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 a similar manner as municipalities. It clarifies that sewer districts have full authority to collect rates and fees.

LD 802 An Act To Strengthen the Independence of the Public Advocate ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SHERMAN R	ONTP	

This bill establishes the Public Advocate Advisory Board. The board consists of three members, one appointed by the Governor, one appointed by the President of the Senate and one appointed by the Speaker of the House of Representatives. The board appoints the Public Advocate to a six-year term, subject to confirmation by the Legislature, and provides policy guidance to the Public Advocate. The Public Advocate's first six-year term begins February 1, 2018.

LD 803 An Act To Improve Transparency in the Electricity Supply Market PUBLIC 74

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LIBBY N HIGGINS N	OTP-AM	S-49

This bill:

1. Makes the following changes to protect consumers that choose generation service through a competitive electricity provider:
 - A. It requires the competitive electricity provider to disclose to the consumer if the rate of generation service is higher than the standard-offer service rate;
 - B. It requires the competitive electricity provider to send a renewal notice to the consumer for generation service by certified mail, return receipt requested; and
 - C. It prohibits the competitive electricity provider from renewing a contract for generation service without express consent from the consumer;
2. Requires that the monthly utility bill for a consumer that elects to receive generation service from a competitive electricity provider contain the following:
 - A. The rate for generation service charged by the competitive electricity provider displayed along with the standard-offer service rate; and

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B. The expiration date of the consumer's contract with the competitive electricity provider for generation service; and

3. Requires the Public Utilities Commission, in consultation with the Public Advocate, to determine if consumers paid more for generation service purchased from competitive electricity providers instead of through standard-offer service and if so by how much and to submit its findings to the Joint Standing Committee on Energy, Utilities and Technology.

Committee Amendment "A" (S-49)

This amendment replaces the bill. This amendment:

1. Makes the following changes to consumer protections for residential consumers that choose generation service through a competitive electricity provider:

A. It requires the competitive electricity provider to disclose to the consumer where the consumer can obtain information to compare the service provided by the provider with standard-offer service;

B. It prohibits the competitive electricity provider from renewing a contract for generation service if it fails to provide that consumer with a notice of renewal in advance by mail;

C. It requires that, if a competitive electricity provider renews a contract for generation service at a fixed rate that is 20% or more above the contract rate in the expiring contract without express consent, the consumer must be transferred to standard-offer service;

D. It requires that, if a competitive electricity provider renews a contract for generation service for a term that is longer than the term of the expiring contract or 12 months, whichever is shorter, without express consent, the consumer must be transferred to standard-offer service; and

E. It prohibits a competitive electricity provider from imposing an early termination fee for a contract that was renewed without express consent;

2. Requires that the monthly utility bill for a residential consumer that elects to receive generation service from a competitive electricity provider contain the following:

A. A website address or other resource where a consumer can obtain information, as determined by the Public Utilities Commission, that provides independent information that allows residential consumers to compare terms, conditions and rates of electricity supply; and

B. A statement that directs the consumer to the competitive electricity provider for more information on the consumer's contract and that provides the telephone number of the competitive electricity provider; and

3. Requires the commission in consultation with the Public Advocate to determine the difference in price, if any, residential consumers paid for generation service by purchasing from a competitive electricity provider instead of receiving standard-offer service between 2014 and 2016; where possible, state if and how the product purchased by the consumer differed from the standard-offer service; and submit its findings to the Joint Standing Committee on Energy, Utilities and Technology by February 15, 2018.

Enacted Law Summary

Public Law 2017, chapter 74:

1. Makes the following changes to consumer protections for residential consumers that choose generation service through a competitive electricity provider:

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- A. It requires the competitive electricity provider to disclose to the consumer where the consumer can obtain information to compare the service provided by the provider with standard-offer service;
 - B. It prohibits the competitive electricity provider from renewing a contract for generation service if it fails to provide that consumer with a notice of renewal in advance by mail;
 - C. It requires that, if a competitive electricity provider renews a contract for generation service at a fixed rate that is 20% or more above the contract rate in the expiring contract without express consent, the consumer must be transferred to standard-offer service;
 - D. It requires that, if a competitive electricity provider renews a contract for generation service for a term that is longer than the term of the expiring contract or 12 months, whichever is shorter, without express consent, the consumer must be transferred to standard-offer service; and
 - E. It prohibits a competitive electricity provider from imposing an early termination fee for a contract that was renewed without express consent;
2. Requires that the monthly utility bill for a residential consumer that elects to receive generation service from a competitive electricity provider contain the following:
- A. A website address or other resource where a consumer can obtain information, as determined by the Public Utilities Commission, that provides independent information that allows residential consumers to compare terms, conditions and rates of electricity supply; and
 - B. A statement that directs the consumer to the competitive electricity provider for more information on the consumer's contract and that provides the telephone number of the competitive electricity provider; and
3. Requires the commission in consultation with the Public Advocate to determine the difference in price, if any, residential consumers paid for generation service by purchasing from a competitive electricity provider instead of receiving standard-offer service between 2014 and 2016; where possible, state if and how the product purchased by the consumer differed from the standard-offer service; and submit its findings to the Joint Standing Committee on Energy, Utilities and Technology by February 15, 2018.

LD 822 An Act To Ensure Fairness among Large Consumers of Natural Gas

CARRIED OVER

Sponsor(s)

DION M
HARVELL L

Committee Report

Amendments Adopted

This bill extends the existing ineligibility for participation in and the exemption from assessment for natural gas conservation programs to large-volume customers that do not purchase their natural gas from a Maine gas utility. Large-volume customers are defined as those purchasing at least 1,000,000 centum cubic feet of natural gas per year.

This bill was carried over to any special or regular session of the 128th Legislature by joint order, H.P. 1138.