

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

LD 1262 An Act To Protect Monhegan Island by Limiting Wind Turbines

ONTP

Sponsor(s)

DOW D

Committee Report

ONTP

Amendments Adopted

This bill would prohibit an offshore wind energy project or wind energy test area, whether temporary or permanent to be located within the Monhegan Lobster Conservation Area or within 10 nautical miles of the Monhegan Lobster Conservation Area as measured from a line running from the outer perimeter of the Monhegan Lobster Conservation Area.

The provisions of the bill apply retroactively to January 1, 2009.

LD 1299 An Act To Amend the Charter of the Town of Madison's Department of Electric Works

ONTP

Sponsor(s)

FARRIN B
WHITTEMORE R

Committee Report

ONTP

Amendments Adopted

This bill replaces language regarding the bonding authority of the Madison Department of Electric Works to provide that it is the electric works that issues bonds for its purposes and not the Town of Madison and to remove the \$1,200,000 cap on the issuance of bonds or notes for current operating expenses.

LD 1313 An Act To Establish Energy Policy in Maine

PUBLIC 282

Sponsor(s)

SANBORN H
WOODSOME D

Committee Report

OTP-AM

Amendments Adopted

H-429

This bill amends the law regarding the transfer of funds by the Efficiency Maine Trust from the Regional Greenhouse Gas Initiative Trust Fund to the Public Utilities Commission for the purpose of the commission's making disbursements to affected manufacturing customers in proportion to their retail purchase of electricity. The bill removes the requirement to transfer \$3,000,000 per year to the Public Utilities Commission and instead directs the commission to determine the total amount to be disbursed based on a percentage. The bill allows affected customers to opt out of receiving a disbursement. The bill requires an affected customer to use the entire amount disbursed by the commission toward the cost of an approved efficiency measure in order for the affected customer to be eligible to receive matching funds from Efficiency Maine Trust.

Committee Amendment "A" (H-429)

This amendment replaces the bill. It requires the Efficiency Maine Trust to transfer \$2,500,000 in fiscal year 2017-18, \$2,500,000 in fiscal year 2018-19 and \$1,000,000 in fiscal year 2019-20 from the Regional Greenhouse Gas Initiative Trust Fund to the Public Utilities Commission to disburse to certain energy-intensive manufacturers defined in statute as affected customers. The amendment clarifies that disbursements to affected customers are to be made on a quarterly basis. It allows an affected customer to elect not to receive a disbursement for fiscal years 2017-18 to 2019-20, which would make that customer eligible to receive financial or other assistance from the Efficiency Maine Trust from the Regional Greenhouse Gas Initiative Trust Fund. It provides the Efficiency Maine Trust with discretion in directing remaining regional greenhouse gas initiative funds to programs, instead of being

Joint Standing Committee on Energy, Utilities and Technology

required to allocate 50% of those funds to residential programs and 50% of those funds to commercial and industrial programs. Lastly, it limits the assessment under the natural gas conservation program on a large-volume manufacturer to be allowed only on the first 1,000,000 centum cubic feet of natural gas used by that manufacturer in each year, but specifies that this limitation does not limit the ability of a large-volume manufacturer from participating in a natural gas conservation program and it does not affect the determination of the trust on the total amount necessary to capture all cost-effective energy efficiency that is achievable and reliable.

Enacted Law Summary

Public Law 2017, chapter 282 requires the Efficiency Maine Trust to transfer \$2,500,000 in fiscal year 2017-18, \$2,500,000 in fiscal year 2018-19 and \$1,000,000 in fiscal year 2019-20 from the Regional Greenhouse Gas Initiative Trust Fund to the Public Utilities Commission to disburse to certain energy-intensive manufacturers defined in statute as affected customers. The law clarifies that disbursements to affected customers are to be made on a quarterly basis. It allows an affected customer to elect not to receive a disbursement for fiscal years 2017-18 to 2019-20, which would make that customer eligible to receive financial or other assistance from the Efficiency Maine Trust from the Regional Greenhouse Gas Initiative Trust Fund. It provides the Efficiency Maine Trust with discretion in directing remaining regional greenhouse gas initiative funds to programs, instead of being required to allocate 50% of those funds to residential programs and 50% of those funds to commercial and industrial programs. Lastly, it limits the assessment under the natural gas conservation program on a large-volume manufacturer to be allowed only on the first 1,000,000 centum cubic feet of natural gas used by that manufacturer in each year, but specifies that this limitation does not limit the ability of a large-volume manufacturer from participating in a natural gas conservation program and it does not affect the determination of the trust on the total amount necessary to capture all cost-effective energy efficiency that is achievable and reliable.

LD 1342 An Act Regarding Grid-scale Wind Energy Development

ONTP

Sponsor(s)

DION M

Committee Report

ONTP

Amendments Adopted

This bill specifies that associated facilities constructed for wind energy development do not include utility-owned facilities and utility-owned facilities are not part of a wind energy development or offshore wind power project.

LD 1352 An Act To Advance Locally Owned Solar Energy Systems

Leave to Withdraw Pursuant to Joint Rule

Sponsor(s)

WOODSOME D

Committee Report

Amendments Adopted

This bill requires the Public Utilities Commission to issue a request for proposals to procure 35 megawatts of grid-scale solar electricity. This bill requires that one project be 10 megawatts in size and be located on a qualifying brownfields site, three projects be 5 megawatts in size and five projects be 2 megawatts in size. In addition to meeting other requirements, an applicant for a grid-scale project must show that at least 51% of the facility is owned locally in order to be eligible for a contract. The commission may direct investor-owned transmission and distribution utilities to enter into contracts with a term of 20 years for the energy and capacity of a project at a rate of \$0.067 per kilowatt-hour. The bill directs the commission to adopt rules to implement the procurement process and to ensure protections for ratepayers.