

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**

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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.

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businesses in this State from rising electricity costs, to the Governor and the Legislature.

LD 1701 An Act To Improve the Energy Efficiency of Group Homes in the Northern Part of the State ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
STANLEY S JACKSON T	ONTP	

This bill provides that money in certain funds established in the Efficiency Maine Trust Act may be used to improve energy efficiency in group homes for persons with intellectual disabilities in Aroostook County. These expenditures are limited to \$3,500 per group home.

LD 1702 An Act To Allow Certain Hydropower Facilities To Sell Electricity Directly to Rural Manufacturing and Industrial Sites ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
STANLEY S DILL J	ONTP	

This bill allows the owner of certain hydropower facilities to offer for sale to the owner or tenant of a rural manufacturing or industrial site electricity generated by those hydropower facilities that is not under contract to be sold to another entity.

LD 1729 An Act To Restore Confidence in Utility Billing Systems PUBLIC 448 EMERGENCY

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KEIM L BERRY S	OTP-AM ONTP	S-467 S-505 KEIM L

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

This bill establishes requirements relating to so-called electric service drops constructed by customers of large electric transmission and distribution utilities. The bill requires a utility to reimburse a customer for an aboveground or underground customer-constructed service drop at the customer's request, but limits the price to be paid to the cost the utility would have expended to construct an aboveground service drop.

Committee Amendment "A" (S-467)

This amendment, which is the majority report of the committee, strikes the bill and replaces it with the following.

1. It allows the Public Utilities Commission to fairly allocate the costs between ratepayers and shareholders of an investor-owned public utility when an audit of an investor-owned public utility contributes to a commission finding of imprudence that results in a cost disallowance.
2. It directs the Public Utilities Commission to adopt major substantive rules regarding the testing of a transmission and distribution utility's metering and billing systems by a transmission and distribution utility.
3. It directs the Public Utilities Commission to consider whether the rules include provisions related to periodic,

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independent audits of an investor-owned transmission and distribution utility's metering and billing systems.

4. It requires the Public Utilities Commission to submit a report to the Legislature that addresses whether enough is being done by investor-owned transmission and distribution utilities to strengthen and protect their systems, whether it is in the ratepayers' interest to require the utilities to do more to strengthen and protect their systems, and what can be done to improve public safety in storm events, especially in light of lessons learned from recent storms.

Senate Amendment "A" To Committee Amendment "A" (S-505)

This amendment makes the following changes to Committee Amendment "A."

1. It adds an emergency preamble and emergency clause.
2. It clarifies that the costs of the management audit may be allocated to ratepayers or shareholders.
3. It requires the Public Utilities Commission to submit a report to the joint standing committee of the Legislature having jurisdiction over energy and utilities matters by January 15, 2019, on whether the commission has exercised the authority granted to it to allocate the cost of a management audit to ratepayers or shareholders of an investor-owned public utility. The joint standing committee of the Legislature having jurisdiction over energy and utilities matters may report out a bill to the First Regular Session of the 129th Legislature that amends the provision of law governing the cost of a management audit.
4. It provides that the provision of law that authorizes the Public Utilities Commission to allocate the cost of a management audit to ratepayers or shareholders of an investor-owned public utility applies to a management audit concluded at any time after the effective date of the legislation.

Enacted Law Summary

Public Law 2017, chapter 448 does the following.

1. It allows the Public Utilities Commission to fairly allocate the costs between ratepayers or shareholders of an investor-owned public utility when an audit of an investor-owned public utility contributes to a commission finding of imprudence that results in a cost disallowance.
2. It directs the Public Utilities Commission to adopt major substantive rules regarding the testing of a transmission and distribution utility's metering and billing systems by a transmission and distribution utility.
3. It directs the Public Utilities Commission to consider whether the rules include provisions related to periodic, independent audits of an investor-owned transmission and distribution utility's metering and billing systems. In making this determination it requires the Public Utilities Commission to consider any information it has learned from the audit of Central Maine Power Company's billing system that was initiated in Public Utilities Commission, Docket No. 2018-010052.
4. It requires the Public Utilities Commission to submit a report to the joint standing committee of the Legislature having jurisdiction over energy and utilities matters by January 15, 2019 on whether the commission has exercised the authority granted to it to allocate the cost of a management audit to ratepayers or shareholders of an investor-owned public utility. The joint standing committee of the Legislature having jurisdiction over energy and utilities matters may report out a bill to the First Regular Session of the 129th Legislature that amends the provision of law governing the cost of a management audit.
5. It requires the Public Utilities Commission to submit a report to the Legislature that addresses whether enough is being done by investor-owned transmission and distribution utilities to strengthen and protect their systems, whether it is in the ratepayers' interest to require the utilities to do more to strengthen and protect their systems, and what can be done to improve public safety in storm events, especially in light of lessons learned from recent storms.

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6. It provides that the provision of law that authorizes the Public Utilities Commission to allocate the cost of a management audit to ratepayers or shareholders of an investor-owned public utility applies to a management audit concluded at any time after the effective date of the legislation.

Public Law 2017, chapter 448 was enacted as an emergency measure effective July 9, 2018.

LD 1732 An Act To Protect Maine Citizens from an Out-of-state Entity's Misleading Use of In-state Telephone Numbers ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LANGLEY B VACHON K	ONTP	

This bill prohibits a voice service provider from renting or selling telephone numbers with Maine area codes to a person unless that person has a sufficient physical presence in the State. It requires the Public Utilities Commission to adopt implementing rules.

LD 1741 Resolve, Establishing the Commission To Study the Economic, Environmental and Energy Benefits of Energy Storage to the Maine Electricity Industry Died On Adjournment

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
THIBODEAU M GIDEON S	OTP-AM ONTP	S-373 S-402 WOODSOME D

This resolve was reported out of committee in the Second Regular Session and carried over on the Study Table to the next special session by joint order S.P. 748.

This resolve establishes the Commission To Study the Economic, Environmental and Energy Benefits of Energy Storage to the Maine Electricity Industry.

Committee Amendment "A" (S-373)

This amendment is the majority report of the committee. It removes from the membership of the Commission To Study the Economic, Environmental and Energy Benefits of Energy Storage to the Maine Electricity Industry representatives from small-scale and large-scale battery energy storage system owners and adds representatives from small-scale and large-scale energy storage system owners. It removes certain language regarding invited staff support.

Senate Amendment "A" (S-402)

This amendment removes the emergency preamble and emergency clause from the resolve.

LD 1745 An Act To Establish the Wood Energy Program Veto Sustained

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JACKSON T STANLEY S	OTP-AM ONTP	S-464