

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
129<sup>TH</sup> LEGISLATURE  
FIRST REGULAR SESSION



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

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

August 2019

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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 129<sup>th</sup> 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 129<sup>th</sup> Legislature is Thursday, September 19, 2019. 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 amendment was not adopted.

**LD 68      An Act To Improve the Record Keeping of Utilities and the Public Utilities Commission**

**PUBLIC 26**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CARSON B	OTP-AM	S-12

This bill amends the law governing the record-keeping requirements of the Public Utilities Commission. Current law requires that the commission maintain a complete record of proceedings, investigations and formal public hearings. The bill adds the requirement to maintain a record of complaints. It also specifies that the required records be permanently maintained and include results and conclusions, including orders, findings, decisions and settlement agreements. Finally, the bill requires the commission, upon request of a public utility customer, to reconstruct, to the extent possible, the record of a proceeding, investigation, formal public hearing or complaint that was disposed of prior to the requirement that a permanent record be maintained.

**Committee Amendment "A" (S-12)**

This amendment makes two changes to the bill. First, it adds a provision to the bill to require public utilities to preserve records of customer complaints for a period of 10 years and to make records of customer complaints readily available to the Public Utilities Commission for examination. Second, the amendment removes the provision of the bill that requires the Public Utilities Commission to reconstruct past records of proceedings, investigations, public hearings and complaints.

**Enacted Law Summary**

Public Law 2019, chapter 26 amends the law governing the record-keeping requirements of the Public Utilities Commission to add the requirement that the commission maintain records of complaints and to specify that records must be permanently maintained and include results and conclusions, including orders, findings, decisions and settlement agreements. The law also requires public utilities to preserve records of customer complaints for a period of 10 years and to make records of customer complaints readily available to the Public Utilities Commission for examination.

**LD 91      An Act To Eliminate Gross Metering**

**PUBLIC 16**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BERRY S WOODSOME D	OTP ONTP	S-4    LAWRENCE M

This bill clarifies the definition of "net energy billing." It requires the Public Utilities Commission, within 60 days of this legislation becoming effective, to amend its net energy billing rules adopted pursuant to the Maine Revised Statutes, Title 35-A, section 3209-A to be substantively equivalent to the rules in effect on January 1, 2017. It provides that all customers that entered into a net energy billing arrangement on or after March 29, 2017 are governed by the rules that are to be adopted pursuant to this legislation.

**Senate Amendment "A" (S-4)**

This amendment removes the emergency preamble and emergency clause.

**Enacted Law Summary**

Public Law 2019, chapter 16 clarifies the definition of "net energy billing." It requires the Public Utilities

***Joint Standing Committee on Energy, Utilities and Technology***

Commission, within 60 days of this legislation becoming effective, to amend its net energy billing rules adopted pursuant to the Maine Revised Statutes, Title 35-A, section 3209-A to be substantively equivalent to the rules in effect on January 1, 2017. It provides that all customers that entered into a net energy billing arrangement on or after March 29, 2017 are governed by the rules that are to be adopted pursuant to this legislation.

**LD 143      An Act To Protect Electric Ratepayers from Gross Output Metering Costs**

**Leave to Withdraw Pursuant to Joint Rule**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HUBBELL B		

This bill prohibits a transmission and distribution utility from requiring a customer to meter the gross output of a facility for net energy billing purposes and from requiring a customer to have a meter installed to measure gross output in order to participate in net energy billing. The bill requires that a net energy billing customer be credited for kilowatt-hours exported from an eligible facility at the total retail rate for electricity. It allows a transmission and distribution utility to collect data on gross output only if a meter to measure gross output was installed prior to the effective date of this legislation. Finally, it requires the Public Utilities Commission to amend its rules to conform with the changes made in this legislation within 90 days of the effective date.

**LD 147      An Act To Extend Internet Availability in Rural Maine**

**PUBLIC 52  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ALLEY R MOORE M	OTP-AM	H-43

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

**Committee Amendment "A" (H-43)**

This amendment replaces the bill. The amendment adds language to the law governing the telecommunications education access fund to:

1. Specify that the use of the fund for Internet access includes mobile Internet access through a portable wireless access point, or hotspot, that provides Internet access over a cellular network; and
2. Add a guideline for allocation of money from the fund to provide, within existing resources, support for qualified libraries in rural areas of the State with greatest need, as determined in consultation with the State Librarian, the Commissioner of Education and the ConnectME Authority, to offer portable wireless access points, or hotspots, for mobile Internet access.

**Enacted Law Summary**

Public Law 2019, chapter 52 amends the law governing the telecommunications education access fund to:

1. Specify that the use of the fund for Internet access includes mobile Internet access through a portable wireless access point, or hotspot, that provides Internet access over a cellular network; and
2. Add a guideline for allocation of money from the fund to provide, within existing resources, support for