

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
129<sup>TH</sup> LEGISLATURE  
FIRST SPECIAL AND SECOND REGULAR SESSIONS



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

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

November 2020

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# STATE OF MAINE

129<sup>TH</sup> LEGISLATURE  
FIRST REGULAR SESSION



## 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*

**Committee Amendment "A" (H-684)**

This amendment replaces the concept draft. The amendment adds a provision to the Greater Augusta Utility District charter that authorizes the district to disconnect water service for the nonpayment of wastewater charges. The amendment also adds a provision to the charter to allow the nonvoting representative of the City of Hallowell on the district's board of trustees to vote in the absence of the voting representative of the City of Hallowell on the board.

**Enacted Law Summary**

Private and Special Law 2019, chapter 18 adds a provision to the Greater Augusta Utility District charter that authorizes the district to disconnect water service for the nonpayment of wastewater charges. The law also adds a provision to the charter to allow the nonvoting representative of the City of Hallowell on the district's board of trustees to vote in the absence of the voting representative of the City of Hallowell on the board.

**LD 790      An Act To Eliminate the Cap on the Number of Accounts or Meters Designated for Net Energy Billing      ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MIRAMANT D EVANGELOS J	ONTP	

This bill was carried over in committee from the First Regular Session of the 129th Legislature by joint order, H.P. 1322.

This bill prohibits the Public Utilities Commission from adopting or amending net energy billing rules pursuant to the Maine Revised Statutes, Title 35-A, section 3209-A to impose any limit on the number of accounts or meters that customers may designate for net energy billing or any limit on the number of customers that may share an interest in a generation facility for which the energy output is credited as part of any net energy billing.

**LD 912      An Act To Establish the Wood Energy Investment Program      CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JACKSON T FECTEAUR	OTP-AM	S-193

This bill was carried over in the Senate from the First Regular Session of the 129th Legislature by joint order, H.P. 1322 after having been passed to be enacted by the Legislature and then recalled from the Governor's desk.

This bill establishes the wood energy investment fund and creates the Wood Energy Investment Program within the Efficiency Maine Trust. The bill specifies that, if the Public Utilities Commission finds that an entity awarded a contract for biomass resources pursuant to Public Law 2015, chapter 483 is not meeting contract requirements and therefore is not qualified to receive the full contract payment or any contract payment, those funds that would have been paid had contract requirements been met must be transferred to the wood energy investment fund. It also specifies that any funds remaining in the cost recovery fund established in Public Law 2015, chapter 483, section 1, subsection 5 that are not needed to pay above-market costs for biomass resources must also be transferred by the Public Utilities Commission to the wood energy investment fund. It requires the trust to use funds from the wood energy investment fund, if there are any, to provide incentives and low-interest or no-interest loans for new wood-derived thermal energy or cogeneration projects. It requires that the trust consult with the Finance Authority of Maine, when appropriate, in the development of any Wood Energy Investment Program incentives and the distribution of money from the wood energy investment fund. It prohibits the use of funds for incentives or loans

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

for the refurbishment or maintenance of existing facilities.

**Committee Amendment "A" (S-193)**

This amendment adds an appropriations and allocations section. The amendment allocates funds to establish the Wood Energy Fund within the Efficiency Maine Trust.

This bill was again carried over, still in the Senate, to any special session of the 129th Legislature by joint order, S.P. 788.

**LD 1127      An Act To Expand Community-based Solar Energy in Maine      ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SANBORN H	ONTP	

This bill was carried over in committee from the First Regular Session of the 129th Legislature by joint order, H.P. 1322.

This bill requires the Public Utilities Commission to direct investor-owned transmission and distribution utilities to enter into long-term contracts with community-based solar photovoltaic energy generating facilities. The total amount of resources procured through these long-term contracts may not exceed 100 megawatts, and 20% of resources procured must come from generators with a capacity of less than two megawatts. The bill requires the commission to establish provisions to protect the interests of utility customers over the term of the contracts.

The bill sets forth eligibility requirements for community-based solar resources to enter into long-term contracts. To be eligible, a resource must have a capacity of no more than 10 megawatts, have an in-service date between June 30, 2020, and December 31, 2021, and meet local ownership requirements. In addition, to be eligible, the owners of the resource must: demonstrate to the Public Utilities Commission completion of an interconnection agreement application with the local transmission and distribution utility; include a plan to obtain all required federal, state and local permits and approvals; demonstrate financial capability to operate the resource over the term of the contract; include a letter or resolution of support from the local community in which the resource is located; and outline expected economic benefits from the long-term contract to the local community in which the resource is located.

The bill establishes a minimum contract length of 20 years and requires the contract rate to be less than 9¢ per kilowatt-hour and fixed for a period of at least 20 years. Contracts may be for energy or capacity. Contracts may also include renewable energy credits, or the owners of the resource may retain the renewable energy credits associated with the resource, as determined by the owners. Finally, the bill specifies that available energy contracted for under the provisions of this bill must be sold into the wholesale electricity market in conjunction with solicitations for standard-offer supply bids.

**LD 1563      An Act To Encourage the Development of Broadband Coverage in Rural Maine      PUBLIC 625**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BELLOWS S BERRY S	OTP-AM	S-405 S-443 BELLOWS S

This bill was carried over in committee from the First Regular Session of the 129th Legislature by joint order, H.P. 1322.