

MAINE STATE LEGISLATURE

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STATE OF MAINE
129TH 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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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 129th 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 129th 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

LD 946 An Act To Protect the Privacy of Online Customer Information

PUBLIC 216

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BELLOWS S BERRY S	OTP OTP-AM OTP-AM	H-387 BERRY S

This bill prohibits a provider of broadband Internet access service from using, disclosing, selling or permitting access to customer personal information unless the customer expressly consents to that use, disclosure, sale or access. The bill provides other exceptions under which a provider may use, disclose, sell or permit access to customer personal information. The bill prohibits a provider from refusing to serve a customer, charging a customer a penalty or offering a customer a discount if the customer does or does not consent to the use, disclosure, sale or access. The bill requires providers to take reasonable measures to protect customer personal information from unauthorized use, disclosure, sale or access. The provisions of the bill apply to providers operating within the State when providing broadband Internet access service to customers that are billed for service received in the State and are physically located in the State.

Committee Amendment "B" (S-134)

This amendment is one of two minority reports of the committee and replaces the bill with a resolve. The amendment directs the Attorney General, in consultation with industry and customer stakeholders, to study and make recommendations regarding the State's role in the regulation of the privacy of online customer information. It requires the Attorney General to submit a report to the Joint Standing Committee on Energy, Utilities and Technology by January 31, 2020 and authorizes the committee to report out a bill to the Second Regular Session of the 129th Legislature related to the report. The amendment also adds an appropriations and allocations section.

This amendment was not adopted.

Committee Amendment "A" (S-133)

This amendment is one of two minority reports of the committee and replaces the bill. The amendment includes a transparency requirement under which a controller, defined as a person who controls personal data collected through the Internet about individual consumers who use or visit the controller's website or online service, is required to make certain disclosures to the consumers regarding the categories of data that are processed, the manner in which the data may be shared with third parties and any rights the consumer may have to review and request changes to inaccurate data collected by the controller. The amendment includes a right-to-know provision that requires controllers who sell personal data collected from individual consumers who use or visit the controller's website or online service to make available to the consumers, free of charge, all categories of data sold and all categories of third parties who received the data. Additionally, the amendment requires controllers who sell personal data to third parties to conspicuously post a designated address and provide consumers a right to opt out of the sale of the consumer's data by issuing a verified request through the designated address. Finally, the amendment requires consumer consent with regard to the sharing of certain sensitive information or information that is sensitive in nature, subject to a risk assessment by the controller. The amendment provides an effective date of July 1, 2021. The amendment also adds an appropriations and allocations section.

This amendment was not adopted.

House Amendment "B" (H-387)

This amendment includes other exceptions, as found in the current law, to the release of customer personal information, such as for the release of portable electronic device content information and location information to a government entity. This amendment also removes the authorization of a provider of broadband Internet access

Joint Standing Committee on Energy, Utilities and Technology

service to provide geolocation information regarding a customer to the customer's legal guardian or immediate family member in an emergency situation. This amendment also provides an effective date of July 1, 2020 for the legislation.

This amendment was not adopted.

Enacted Law Summary

Public Law 2019, chapter 216 prohibits a provider of broadband Internet access service from using, disclosing, selling or permitting access to customer personal information unless the customer expressly consents to that use, disclosure, sale or access. It provides other exceptions under which a provider may use, disclose, sell or permit access to customer personal information, such as for the release of portable electronic device content information and location information to a government entity. The law prohibits a provider from refusing to serve a customer, charging a customer a penalty or offering a customer a discount if the customer does or does not consent to the use, disclosure, sale or access and requires providers to take reasonable measures to protect customer personal information from unauthorized use, disclosure, sale or access. The provisions of this law apply to providers operating within the State when providing broadband Internet access service to customers that are billed for service received in the State and are physically located in the State. This law has an effective date of July 1, 2020.

LD 950 An Act To Develop a State Energy Plan To Provide a Pathway to an Energy Portfolio Free of Fossil Fuels ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DEVIN M	ONTP	

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to develop a State energy plan to provide a pathway to an energy portfolio free of fossil fuels.

LD 980 An Act To Amend Provisions of the Maine Energy Cost Reduction Act Regarding Assessments on Ratepayers ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RILEY T LAWRENCE M	ONTP	

This bill amends the Maine Energy Cost Reduction Act to permit the Public Utilities Commission to consider the effect on electricity market clearing prices in Maine of programs, contracts and other enforceable obligations in other states in determining whether assessments on Maine electricity ratepayers for natural gas pipelines and gas storage are just and reasonable.

LD 994 Resolve, To Require the Approval by the Public Utilities Commission of a Proposal for a Long-term Contract for Deep-water Offshore Wind Energy RESOLVE 87

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WOODSOME D	OTP-AM OTP-AM	S-245

This resolve directs the Public Utilities Commission to approve the long-term contract for capacity and associated energy between Maine Aqua Ventus I, GP, LLC and Central Maine Power Company submitted to the commission in