

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

129TH LEGISLATURE
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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

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

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December 2017.

Committee Amendment "A" (S-245)

This amendment is the majority report of the committee. The amendment adds additional specifications to the directive in the resolve to the Public Utilities Commission to approve a long-term contract for energy and capacity between Maine Aqua Ventus and Central Maine Power Company. The amendment additionally specifies and requires that:

1. Maine Aqua Ventus file a draft contract with the commission within 15 days of the effective date of the resolve;
2. The commission initiate and complete negotiations among commission staff, Maine Aqua Ventus, Central Maine Power Company and the Office of the Public Advocate and approve a contract between Maine Aqua Ventus and Central Maine Power Company within 60 days of the filing of the draft contract;
3. The final draft contract be the same as the contract filed with the commission on December 13, 2017, in Docket No. 2010-00235, except for revisions necessary for the purposes of updating the contract in light of the passage of time and the maturation of the industry and facilitating the financing, construction and operation of the demonstration project in current circumstances, within the cost limitations established in Public Law 2009, chapter 615, while not increasing or decreasing the annual energy production cap or, except as needed to reasonably accommodate for construction inflation costs since 2014, the cost per kilowatt-hour previously set in the base energy price; and
4. The commission order the final draft contract to be executed by Maine Aqua Ventus and Central Maine Power Company within 90 days of the effective date of the resolve.

The amendment also provides for the Public Utilities Commission to monitor the deep-water offshore wind energy pilot project developed by Maine Aqua Ventus and respond to requested future amendments to the contract in the context of accomplishing the objectives of Public Law 2009, chapter 615 and authorizes the Joint Standing Committee on Energy, Utilities and Technology to report out a bill related to deep-water offshore wind energy to the Second Regular Session of the 129th Legislature.

Committee Amendment "B" (S-246)

This amendment is the minority report of the committee. The amendment removes the emergency preamble and emergency clause. The amendment requires that the contract between Maine Aqua Ventus and Central Maine Power Company to be approved by the Public Utilities Commission under the resolve be revised to set the price in the contract equal to the ISO-New England wholesale energy market price.

This amendment was not adopted.

Enacted Law Summary

Resolve 2019, chapter 87 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 December 2017. It requires that:

1. Maine Aqua Ventus file a draft contract with the commission within 15 days of the effective date of the resolve;
2. The commission initiate and complete negotiations among commission staff, Maine Aqua Ventus, Central Maine Power Company and the Office of the Public Advocate and approve a contract between Maine Aqua Ventus and Central Maine Power Company within 60 days of the filing of the draft contract;
3. The final draft contract be the same as the contract filed with the commission on December 13, 2017, in Docket

Joint Standing Committee on Energy, Utilities and Technology

No. 2010-00235, except for revisions necessary for the purposes of updating the contract in light of the passage of time and the maturation of the industry and facilitating the financing, construction and operation of the demonstration project in current circumstances, within the cost limitations established in Public Law 2009, chapter 615, while not increasing or decreasing the annual energy production cap or, except as needed to reasonably accommodate for construction inflation costs since 2014, the cost per kilowatt-hour previously set in the base energy price; and

4. The commission order the final draft contract to be executed by Maine Aqua Ventus and Central Maine Power Company within 90 days of the effective date of the resolve.

The resolve provides for the Public Utilities Commission to monitor the deep-water offshore wind energy pilot project developed by Maine Aqua Ventus and respond to requested future amendments to the contract in the context of accomplishing the objectives of Public Law 2009, chapter 615 and authorizes the Joint Standing Committee on Energy, Utilities and Technology to report out a bill related to deep-water offshore wind energy to the Second Regular Session of the 129th Legislature.

LD 1003 An Act To Ensure Accurate Explanations of Electric Bills

PUBLIC 88

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BERRY S CHENETTE J	OTP-AM	H-101

This bill requires an investor-owned transmission and distribution utility to obtain the approval of the Public Utilities Commission before providing information explaining electricity rate components to a customer. The bill requires the commission to ensure that the information provided to a customer accurately reflects the overall rate structure and cost components for the supply and delivery of electricity. The bill also requires the commission to receive input from the Public Advocate and other interested parties before approving or disapproving any written information provided by an investor-owned transmission and distribution utility to a customer.

Committee Amendment "A" (H-101)

This amendment replaces the bill. The amendment requires the Public Utilities Commission to adopt rules to do the following:

1. Require investor-owned transmission and distribution utilities to provide customers annually, as an insert or attachment to customer bills, an informational chart showing a 10-year history of transmission, distribution and standard-offer service rates available to the customer's rate class, along with a statement of the total percentage change in those rates over the 10-year period;
2. Require a customer bill issued by an investor-owned transmission and distribution utility to display clearly and prominently the toll-free telephone number for the commission's consumer assistance and safety division and a statement of the consumer assistance services available by calling the division; and
3. Establish a process for the commission, upon finding that an investor-owned transmission and distribution utility has distributed information to customers that is misleading, deceptive or inaccurate, to require the transmission and distribution utility to provide customers a statement that corrects the misleading, deceptive or inaccurate information.

The amendment also requires the commission to post informational charts showing a 10-year history of electricity rate components on the commission's website.

Enacted Law Summary