

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 1139 An Act To Eliminate Restrictions on Capacity and the Number of Accounts for Net Energy Billing

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HIGGINS N BELLOWS S	ONTP	

This bill provides that the Public Utilities Commission may not limit the installed capacity of an eligible facility or the number of accounts or meters a customer or shared ownership customer may designate for net energy billing. Current commission rules limit the capacity to 660 kilowatts and the number of meters or accounts to 10.

LD 1173 An Act To Allow the Direct Sale of Electricity

PUBLIC 205

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WOODSOME D	OTP-AM	S-123

This bill directs the Public Utilities Commission to approve a petition to sell electricity directly to commercial or industrial customers if the commission finds the electric service meets specified requirements. The bill specifies that the petitioner does not become a public utility as a result of its furnishing electric service to participating customers. The bill also provides that a person that has been approved to sell electricity directly to customers may construct and maintain its lines in, upon, along, over, across or under the roads and streets.

Committee Amendment "A" (S-123)

This amendment replaces the bill. The amendment allows an entity that generates electricity to construct a transmission line for the purpose of interconnecting and distributing electricity to serve a commercial or industrial consumer without becoming subject to regulation by the Public Utilities Commission as a transmission and distribution utility or a competitive electricity provider when the commercial or industrial consumer is located on the property where the generator is located; on abutting property; or on a commercial or industrial site served by the generator or its predecessor without using the transmission and distribution plant of a public utility prior to December 31, 2018. The amendment requires the Public Utilities Commission to report every three years, beginning in 2022, on the incidence of direct sales of electricity by an entity that generates electricity to commercial or industrial consumers in the instances allowed under this amendment. Finally, the amendment clarifies that this legislation does not modify or nullify the framework and precedent for analyzing when an entity is a transmission and distribution utility or a competitive electricity provider established by the Public Utilities Commission in related cases.

Enacted Law Summary

Public Law 2019, chapter 205 allows an entity that generates electricity to construct a transmission line for the purpose of interconnecting and distributing electricity to serve a commercial or industrial consumer without becoming subject to regulation by the Public Utilities Commission as a transmission and distribution utility or a competitive electricity provider when the commercial or industrial consumer is located on the property where the generator is located; on abutting property; or on a commercial or industrial site served by the generator or its predecessor without using the transmission and distribution plant of a public utility prior to December 31, 2018. The law requires the Public Utilities Commission to report every three years, beginning in 2022, on the incidence of direct sales of electricity by an entity that generates electricity to commercial or industrial consumers in the instances allowed under this amendment. Finally, the law clarifies that it does not modify or nullify the framework and precedent for analyzing when an entity is a transmission and distribution utility or a competitive electricity provider established by the Public Utilities Commission in related cases.