

# 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.

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energy billing when the cumulative capacity of electricity generating facilities that participate in net energy billing in the service territory of a transmission and distribution utility reaches 10% of the utility's peak demand.

4. It directs the Public Utilities Commission to develop a plan for implementing a thermal renewable resource portfolio standard to encourage commercial and industrial pellet and wood heating systems, residential biomass systems and combined heat and power systems fueled by biomass. It requires the commission to submit a plan for the thermal renewable resource portfolio standard by January 1, 2020.

5. It directs the Public Utilities Commission to develop, implement and evaluate a distributed generation pilot program to encourage on-site renewable energy generation. It requires the commission to evaluate the pilot program after three years of operation and report its findings and recommendations to the joint standing committee of the Legislature having jurisdiction over energy matters by April 15, 2023.

**LD 1469      An Act To Amend the Charter of the Rumford-Mexico Sewerage District      P & S 8**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KEIM L	OTP-AM	S-124

This bill updates and clarifies provisions of the charter of the Rumford-Mexico Sewerage District regarding the determination of actual apportionable costs, the apportionment of annual costs and rate charges.

**Committee Amendment "A" (S-124)**

This amendment strikes the bill but retains the provision from the bill that increases the amount of funds that the district may transfer to a surplus or capital account if a surplus exists at the end of a calendar year.

**Enacted Law Summary**

Private and Special Law 2019, chapter 8 amends the charter of the Rumford-Mexico Sewerage District to increase the amount of funds that the district may transfer to a surplus or capital account if a surplus exists at the end of a calendar year.

**LD 1494      An Act To Reform Maine's Renewable Portfolio Standard      PUBLIC 477**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
VITELLI E PLUECKER B	OTP-AM ONTP	S-307

This bill increases the percentage of supply sources for retail electricity sales in the State that must be accounted for by new renewable capacity resources from 10% to 50% by 2030. It also makes several changes to resource eligibility to meet these requirements. The bill also creates a renewable portfolio standard for thermal energy resources. The bill also directs the Public Utilities Commission to procure long-term contracts for an amount of renewable capacity resources that is equal to 1/2 the amount of the portfolio requirements for these resources and requires the commission to conduct annual competitive solicitations for the long-term contracts.

**Committee Amendment "A" (S-307)**

This amendment is the majority report of the committee. It makes the following changes to the bill.

1. It adds state goals for consumption of electricity from renewable resources.

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2. It updates renewable portfolio requirement terminology to use the terms "Class I" and "Class II," which are the terms used in practice and in agency rules.
3. It clarifies certain definitions in the bill.
4. It creates a Class IA renewable resource portfolio requirement and removes the increased requirements for Class I resources that are in the bill; the new Class IA requirement combined with the existing Class I requirement preserves the overall increase in requirements to 50% by 2030 that is in the bill.
5. It applies a 300% multiplier for the output of a generator fueled by municipal solid waste in conjunction with recycling in Class II.
6. It delays by one year the portfolio requirements for thermal renewable energy credits in the bill.
7. It extends the alternative compliance payment policy to Class IA resources and thermal renewable energy credit requirements, and establishes a maximum alternative compliance payment rate of \$50 for Class I, Class IA and thermal renewable energy credits.
8. It creates options for electricity customers that receive service at the transmission or subtransmission voltage level to elect to opt out of Class IA resource portfolio requirements and thermal renewable energy credit requirements and the costs and benefits resulting from long-term contracts for Class IA resources.
9. It requires the Public Utilities Commission to submit a report by March 31, 2024 and every five years thereafter regarding the status and impacts of implementing the portfolio requirements for Class IA resources and thermal renewable energy credits.
10. It amends the long-term contracting provisions in the bill to require two competitive solicitations for contracts with Class IA resources to procure, in total, an amount of energy or renewable energy credits equal to 14% of retail electricity sales in the State during calendar year 2018. It also adds language to allow energy storage systems to be awarded long-term contracts when paired as a complementary resource with a Class IA resource.
11. It directs the Governor's Office of Policy and Management and the Governor's Energy Office to conduct a market assessment study and analysis of opportunities, potential and challenges in meeting the State's renewable energy goals. The report is due January 31, 2021.
12. It adds an appropriations and allocations section.

### **Enacted Law Summary**

Public Law 2019, chapter 477 adds state goals for consumption of electricity from renewable resources and makes several changes to the states renewable portfolio requirements. It updates terminology to use the terms "Class I" and "Class II," which are the terms used in practice and in agency rules and creates a new Class IA renewable resource portfolio requirement. The Class IA requirement combined with the existing Class I requirement provides for an overall increase in renewable resource portfolio requirements to 50% by 2030. The law provides a 300% multiplier for the output of a generator fueled by municipal solid waste in conjunction with recycling with respect to Class II requirements. It also creates a renewable portfolio standard for thermal renewable energy credits and extends the alternative compliance payment policy for Class I resources to the new Class IA resource and thermal renewable energy credit requirements and establishes a maximum alternative compliance payment rate of \$50 for Class I, Class IA and thermal renewable energy credits. The law creates options for electricity customers that receive service at the transmission or subtransmission voltage level to elect to opt out of Class IA resource portfolio requirements and thermal renewable energy credit requirements and from the costs and benefits resulting from long-term contracts for Class IA resources. It requires the Public Utilities Commission to submit a report by March 31, 2024, and every five years thereafter, regarding the status and impacts of implementing the portfolio

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requirements for Class IA resources and thermal renewable energy credits.

This law requires the Public Utilities Commission to conduct two competitive solicitations for long-term contracts with Class IA resources to procure, in total, an amount of energy or renewable energy credits equal to 14% of retail electricity sales in the State during calendar year 2018. It allows energy storage systems to be awarded long-term contracts when paired as a complementary resource with a Class IA resource.

Finally, this law directs the Governor's Office of Policy and Management and the Governor's Energy Office to conduct a market assessment study and analysis of opportunities, potential and challenges in meeting the State's renewable energy goals. The report is due January 31, 2021.

**LD 1542     An Act To Allow a Municipality To Choose Its Power Provider**

**ONTP**

<u>Sponsor(s)</u> DENK D	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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This bill provides a process to allow a municipality to choose a single transmission and distribution utility via a referendum when that municipality is served by more than one utility. The decision to hold a referendum must be made by a majority vote of the municipal officials. A referendum to choose a single utility must occur during a gubernatorial or presidential election in November and must be called, advertised and conducted according to the law relating to municipal elections.

The bill also requires the choice of a single utility to be approved by the Public Utilities Commission. The commission is required to approve the choice if the commission finds that the chosen utility is willing to furnish service to the entire municipality, has the financial ability to meet its obligations under the Maine Revised Statutes, Title 35-A and is willing and able to pay a fair and reasonable price, as determined by the commission, for the assets of the second utility needed to furnish service to the entire municipality. Upon approval, the commission is directed to order the second utility to sell its assets used to serve the municipality to the chosen transmission and distribution utility. This bill also allows the commission to adopt routine technical rules to implement these provisions.

**LD 1547     An Act To Use 10 Percent of E-9-1-1 Surcharges To Fund Public Safety  
                  Answering Point Staff and Projects**

**Leave to Withdraw  
Pursuant to Joint  
Rule**

<u>Sponsor(s)</u> LIBBY N	<u>Committee Report</u>	<u>Amendments Adopted</u>
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This bill directs the Public Utilities Commission, Emergency Services Communication Bureau to use 10% of the statewide E-9-1-1 surcharges to fund certain staff positions and capital equipment projects of public safety answering points operated by county governments or other local units of government.

**LD 1556     An Act Regarding Filing Fees in Transmission Line Proceedings**

**PUBLIC 177**

<u>Sponsor(s)</u> LAWRENCE M	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> S-96
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