

# 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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# 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 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**

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> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| DENK D            | ONTP                    |                           |

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> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| LIBBY N           |                         |                           |

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> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| LAWRENCE M        | OTP-AM                  | S-96                      |

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

Current law requires that, when a person files with the Public Utilities Commission a petition of approval for the construction, rebuilding or relocation of a transmission line, that person must pay, in addition to the filing fee paid to the commission, an additional filing fee to the Office of the Public Advocate equal to 1/100 of 1% of the estimated cost to erect, rebuild or relocate the transmission line. This bill increases the amount of the additional filing fee to 2/100 of 1% of the estimated cost to erect, rebuild or relocate the transmission line. It also allows the Office of the Public Advocate to recover expenses in the transmission line proceeding that exceed the amount of the original filing fee from the person.

**Committee Amendment "A" (S-96)**

This amendment incorporates a fiscal note.

**Enacted Law Summary**

Public Law 2019, chapter 177 increases the amount of the filing fee that is required to be paid to the Office of the Public Advocate by a person who files with the Public Utilities Commission a petition of approval for the construction, rebuilding or relocation of a transmission line from 1/100 of 1% to 2/100 of 1% of the estimated cost to erect, rebuild or relocate the transmission line. It also allows the Office of the Public Advocate to recover expenses in the transmission line proceeding that exceed the amount of the original filing fee from the person.

**LD 1557      An Act To Adjust the Staffing and Resources of the Office of the Public Advocate      PUBLIC 226**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| LAWRENCE M        | OTP-AM                  | S-125                     |

This bill allows the Public Advocate to hire an additional employee.

**Committee Amendment "A" (S-125)**

This amendment adds a provision to the bill to replace, in the Office of the Public Advocate, one Research Assistant position, salary range 30, with one Economic Analyst position, salary range 36, to align compensation with the assigned duties and qualifications of staff.

**Enacted Law Summary**

Public Law 2019, chapter 226 allows the Public Advocate to hire an additional employee. It also replaces one Research Assistant position, salary range 30, with one Economic Analyst position, salary range 36, to align compensation with the assigned duties and qualifications of staff of the Office of the Public Advocate.

**LD 1558      An Act To Change the Definition of "Gas Utility" in the Laws Governing Public Utilities      ONTP**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| LAWRENCE M        | ONTP                    |                           |

This bill includes propane dealers in the definition of "gas utility" in the laws governing public utilities.