

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
FIRST REGULAR SESSION



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 1559

An Act To Require the Public Utilities Commission To Permit the Public Advocate To Access Certain Information Related to a Management Audit

PUBLIC 251

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| LAWRENCE M | OTP-AM | S-154 |

This bill requires the Public Utilities Commission, whenever it initiates a management audit of a public utility, to also open an investigation into the same issues that are the subject of the audit. This investigation is an adjudicatory proceeding with full rights of intervention and participation as allowed under the commission's procedural rules.

Committee Amendment "A" (S-154)

This amendment replaces the bill. The amendment requires the Public Utilities Commission, upon request of the Public Advocate, to permit the Public Advocate to access certain information in connection with a management audit of a public utility and to provide the Public Advocate the opportunity to comment on information received.

Enacted Law Summary

Public Law 2019, chapter 251 requires the Public Utilities Commission, upon request of the Public Advocate, to permit the Public Advocate to access certain information in connection with a management audit of a public utility and to provide the Public Advocate the opportunity to comment on information received.

LD 1560

An Act Regarding Utility Reorganizations

**PUBLIC 353
EMERGENCY**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| LAWRENCE M | OTP-AM | S-192 |

This bill provides that a reorganization of a utility may not be approved by the Public Utilities Commission unless it is established by the applicant for approval that the reorganization provides net benefits to the utility's ratepayers and is consistent with the interests of the utility's investors. In determining whether a utility reorganization provides net benefits to the utility's ratepayers, the commission at a minimum must examine whether the reorganization will result in a rate increase for the utility's ratepayers and whether the reorganization will result in a loss of local control of the utility's management and operations in a manner that limits the ability of local management to protect the interests of the utility's ratepayers in this State. This bill applies retroactively to March 27, 2019.

Committee Amendment "A" (S-192)

This amendment limits the application of the requirement in the bill that there be net benefits to ratepayers under a reorganization to only those reorganizations that involve transfer of ownership and control of a public utility or the parent company of a public utility, rather than all reorganizations.

Enacted Law Summary

Public Law 2019, chapter 353 provides that a reorganization of a utility that involves transfer of ownership and control of a public utility or the parent company of a public utility may not be approved by the Public Utilities Commission unless it is established by the applicant for approval that the reorganization provides net benefits to the utility's ratepayers and is consistent with the interests of the utility's investors. In determining whether a reorganization provides net benefits to the utility's ratepayers, the commission at a minimum must examine whether the reorganization will result in a rate increase for the utility's ratepayers and whether the reorganization will result in a loss of local control of the utility's management and operations in a manner that limits the ability of local