

MAINE STATE LEGISLATURE

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STATE OF MAINE
129TH LEGISLATURE
FIRST SPECIAL AND SECOND REGULAR SESSIONS



Summaries of bills, adopted amendments and laws enacted or finally passed

**JOINT STANDING COMMITTEE ON ENERGY, UTILITIES
AND TECHNOLOGY**

November 2020

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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

for the refurbishment or maintenance of existing facilities.

Committee Amendment "A" (S-193)

This amendment adds an appropriations and allocations section. The amendment allocates funds to establish the Wood Energy Fund within the Efficiency Maine Trust.

This bill was again carried over, still in the Senate, to any special session of the 129th Legislature by joint order, S.P. 788.

LD 1127 An Act To Expand Community-based Solar Energy in Maine ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SANBORN H	ONTP	

This bill was carried over in committee from the First Regular Session of the 129th Legislature by joint order, H.P. 1322.

This bill requires the Public Utilities Commission to direct investor-owned transmission and distribution utilities to enter into long-term contracts with community-based solar photovoltaic energy generating facilities. The total amount of resources procured through these long-term contracts may not exceed 100 megawatts, and 20% of resources procured must come from generators with a capacity of less than two megawatts. The bill requires the commission to establish provisions to protect the interests of utility customers over the term of the contracts.

The bill sets forth eligibility requirements for community-based solar resources to enter into long-term contracts. To be eligible, a resource must have a capacity of no more than 10 megawatts, have an in-service date between June 30, 2020, and December 31, 2021, and meet local ownership requirements. In addition, to be eligible, the owners of the resource must: demonstrate to the Public Utilities Commission completion of an interconnection agreement application with the local transmission and distribution utility; include a plan to obtain all required federal, state and local permits and approvals; demonstrate financial capability to operate the resource over the term of the contract; include a letter or resolution of support from the local community in which the resource is located; and outline expected economic benefits from the long-term contract to the local community in which the resource is located.

The bill establishes a minimum contract length of 20 years and requires the contract rate to be less than 9¢ per kilowatt-hour and fixed for a period of at least 20 years. Contracts may be for energy or capacity. Contracts may also include renewable energy credits, or the owners of the resource may retain the renewable energy credits associated with the resource, as determined by the owners. Finally, the bill specifies that available energy contracted for under the provisions of this bill must be sold into the wholesale electricity market in conjunction with solicitations for standard-offer supply bids.

LD 1563 An Act To Encourage the Development of Broadband Coverage in Rural Maine PUBLIC 625

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BELLOWS S BERRY S	OTP-AM	S-405 S-443 BELLOWS S

This bill was carried over in committee from the First Regular Session of the 129th Legislature by joint order, H.P. 1322.

Joint Standing Committee on Energy, Utilities and Technology

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to establish the Maine Broadband Initiative to encourage, promote, stimulate, invest in and support universal high-speed broadband to unserved and underserved areas of the State. The bill would also establish the Maine Broadband Initiative Fund to provide ongoing funding for high-speed broadband through funding sources that would be identified in the bill.

Committee Amendment "A" (S-405)

This amendment replaces the bill, which is a concept draft. The amendment does the following:

1. Renames the ConnectME Authority the ConnectMaine Authority in the Maine Revised Statutes;
2. Amends the law governing collection of data by the authority to require, rather than permit, the authority to collect certain data from communication service providers and certain wireless providers and to specify the purposes for which data may be required. It also specifies that the authority may initiate a proceeding to determine whether to remove the confidential designation of specific information;
3. Repeals the broadband sustainability fee;
4. Amends the law regarding broadband plans funded by broadband planning grants to remove the requirement that the plans include certain elements, instead allowing these elements to be included; and
5. Requires the authority to initiate rulemaking within 90 days of the effective date of the Act to implement the provisions of the Act.

Senate Amendment "A" To Committee Amendment "A" (S-443)

Under current law, data that communication service providers and certain wireless providers are required to provide to the ConnectME Authority may be designated as confidential information by an order of the authority and not subject to the Freedom of Access Act. This amendment instead designates all data provided to the authority as confidential and, like the committee amendment, allows the authority to remove that confidential designation following a proceeding to determine whether to remove the confidential designation of specific information.

Enacted Law Summary

Public Law 2019, chapter 625 amends the laws governing the ConnectME Authority as follows:

1. Renames the ConnectME Authority the ConnectMaine Authority in the Maine Revised Statutes;
2. Amends the law governing collection of data by the authority to require, rather than permit, certain data collection; to specify the purposes for which data may be required; and to designate all data provided to the authority as confidential. The Act also specifies that the authority, upon request or its own motion, may initiate a proceeding remove the confidential designation of specific information.
3. Repeals the broadband sustainability fee;
4. Amends the law regarding broadband plans funded by broadband planning grants to remove the requirement that the plans include certain elements, instead allowing these elements to be included; and
5. Requires the authority to initiate rulemaking within 90 days of the effective date of the Act to implement the provisions of the Act.