

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
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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 1757 An Act To Clarify Certain Standards for the Efficiency Maine Trust's Triennial Plan

**PUBLIC 313
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
COOPER J SANBORN H	OTP-AM	H-539

This bill amends the Efficiency Maine Trust Act to:

1. Make changes to the Efficiency Maine Trust's triennial plan, including requiring the Maine State Housing Authority and the Department of Health and Human Services to provide data to the Efficiency Maine Trust regarding households that qualify for low-income programs to assist the trust with developing and implementing the triennial plan. Data received by the trust is subject to a protective order to preserve confidentiality;
2. Clarify the process for the adjudicatory proceeding for the approval or rejection of the triennial plan by the Public Utilities Commission;
3. Extend from 30 days to 90 days the amount of time the Director of the Efficiency Maine Trust has to provide the Efficiency Maine Trust Board with an annual update plan describing significant changes to the triennial plan;
4. Establish standards of review to be used by the commission when reviewing the triennial plan;
5. Remove the requirement that the trust preserve the opportunity for carbon emission reductions to be monetized and sold into a voluntary carbon market; and
6. Require the commission to participate in a New England-wide process to establish a common analysis for determining the avoided costs of energy efficiency resources.

Committee Amendment "A" (H-539)

This amendment makes the following changes to the bill.

1. It adds language to clarify the provision in the bill regarding the requirement for the Maine State Housing Authority and the Department of Health and Human Services to provide data to the Efficiency Maine Trust.
2. It provides that the Public Utilities Commission is required to conduct an adjudicatory proceeding to review the triennial plan if requested by the Efficiency Maine Trust or any party to the triennial plan; otherwise, the commission may use an adjudicatory proceeding or other process to complete the review.
3. It makes other technical changes to clarify language.

Enacted Law Summary

Public Law 2019, chapter 313 amends the Efficiency Maine Trust Act to:

1. Make changes to the Efficiency Maine Trust's triennial plan, including requiring the Maine State Housing Authority and the Department of Health and Human Services to provide data to the Efficiency Maine Trust regarding households that qualify for low-income programs to assist the trust with developing and implementing the triennial plan. Data received by the trust is subject to a protective order to preserve confidentiality;
2. Clarify the process for the proceeding for the approval or rejection of the triennial plan by the Public Utilities Commission. It requires the Public Utilities Commission to conduct an adjudicatory proceeding to review the

Joint Standing Committee on Energy, Utilities and Technology

triennial plan if requested by the Efficiency Maine Trust or any party to the triennial plan; otherwise, the commission may use an adjudicatory proceeding or other process to complete the review;

- 3. Extend from 30 days to 90 days the amount of time the Director of the Efficiency Maine Trust has to provide the Efficiency Maine Trust Board with an annual update plan describing significant changes to the triennial plan;
- 4. Establish standards of review to be used by the commission when reviewing the triennial plan;
- 5. Remove the requirement that the trust preserve the opportunity for carbon emission reductions to be monetized and sold into a voluntary carbon market; and
- 6. Require the commission to participate in a New England-wide process to establish a common analysis for determining the avoided costs of energy efficiency resources.

Public Law 2019, chapter 313 was enacted as an emergency measure effective June 17, 2019.

**LD 1766 An Act To Transform Maine's Heat Pump Market To Advance
Economic Security and Climate Objectives**

PUBLIC 306

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LAWRENCE M GIDEON S	OTP-AM	S-220

This bill establishes a goal to install 100,000 new high-performance air source heat pumps in the State to provide heating in residential and nonresidential spaces. It defines "high-performance air source heat pump" as an air source heat pump that satisfies minimum heating performance standards as determined by the Efficiency Maine Trust.

The bill directs forward capacity market payments received by the Efficiency Maine Trust to the Heating Fuels Efficiency and Weatherization Fund to promote high-performance air source heat pumps. It directs the Maine State Housing Authority to share information with the Efficiency Maine Trust Board about the extent to which federally funded weatherization programming is available to meet the heat pump goal. It clarifies that in the construction, remodeling or renovation of a multifamily residential structure funded in whole or in part by public funds, guarantees or bond proceeds, high-performance air source heat pumps may be used as the primary heating system without requiring a waiver from the Public Utilities Commission.

Committee Amendment "A" (S-220)

This amendment clarifies the provision in the bill regarding the installation of high-performance air source heat pumps as a primary heating system in the construction, remodeling or renovation of publicly funded multifamily residential structures. The amendment makes technical changes to bring consistency to language in the bill relating to the types of measures funded by the Heating Fuels Efficiency and Weatherization Fund.

Enacted Law Summary

This bill establishes a goal to install 100,000 new high-performance air source heat pumps in the State to provide heating in residential and nonresidential spaces. It defines "high-performance air source heat pump" as an air source heat pump that satisfies minimum heating performance standards as determined by the Efficiency Maine Trust.

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