

MAINE STATE LEGISLATURE

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STATE OF MAINE
131ST LEGISLATURE
FIRST REGULAR AND FIRST SPECIAL SESSIONS



Disposition of bills and summaries of all laws enacted or finally passed

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

October 2023

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STAFF:

LINDSAY J. LAXON, LEGISLATIVE ANALYST
OFFICE OF POLICY AND LEGAL ANALYSIS
13 STATE HOUSE STATION
AUGUSTA, ME 04333
(207) 287-1670
<http://legislature.maine.gov/opla>

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**LEGISLATIVE DIGEST OF BILLS AND
SUMMARIES OF ENACTED LAWS**

This *Legislative Digest of Bills and Summaries of Enacted Laws* provides the disposition of all LDs and summaries of all laws enacted or finally passed during the First Regular and First Special Sessions of the 131st Maine Legislature. Please note that all LDs and proposed amendments may be found through the Legislature’s webpage, and each includes a summary of what the bill or amendment proposed.

The *Legislative Digest of Bills and Summaries of Enacted Laws* is arranged alphabetically by committee. Within each committee section is a subject index of all LDs considered by that committee as well as a digest of the LDs, arranged by LD number. Also included are enacted law summaries of the LDs enacted or finally passed. Brief analyst notes on certain LDs are also included: a committee digest will indicate if additional notes are provided for an LD. These notes add information staff found useful and may provide useful information to users of this *Digest*; please note that most LDs do not have a note and lack of a note should not be interpreted as having any significance. A separate section of the *Digest* provides a digest of the relatively few LDs that were not referred to a committee or reported from a committee as a committee bill; enacted law summaries of the LDs enacted or finally passed are provided. Finally, an appendix provides a summary of relevant session statistics.

The final disposition of each LD is noted in the relevant summary digest and index. 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 and First Special Sessions of the 131st Legislature is Thursday, June 29, 2023 and Wednesday, October 25, 2023, respectively. 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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LD 194 An Act to Update and Clarify the Public Utilities Commission's Reporting Requirements

ENACTED LAW SUMMARY

Public Law 2023, chapter 77 updates the Public Utilities Commission's annual reporting requirements to remove outdated provisions and establish cross-references to certain specific reporting requirements for clarity.

LD 211 An Act to Amend the Laws Governing Water Supply Protection Funds

ENACTED LAW SUMMARY

Public Law 2023, chapter 137 amends the law governing the use of a water supply protection fund by a consumer-owned water utility. It provides that a consumer-owned water utility may use water supply protection funds to assist a holder to acquire interests in real property if that acquisition is reasonably likely to result in or contribute to the protection of a public water supply. If a consumer-owned water utility assists a holder in acquiring a conservation easement and the utility does not acquire through the transaction a fee interest in the property, the law requires the utility to obtain a third-party right of enforcement with respect to that easement. If a consumer-owned water utility assists a holder in acquiring a fee interest in real property, the utility must acquire a conservation easement unless the holder conveys a conservation easement to another holder, in which case the utility must obtain a third-party right of enforcement with respect to that conservation easement.

LD 256 An Act to Add Electric Bicycles to the Electric Vehicle Rebate Program

ENACTED LAW SUMMARY

Public Law 2023, chapter 140 permits the Efficiency Maine Trust to extend eligibility under the electric vehicle rebate program to electric bicycles. If the trust extends eligibility to electric bicycles, the trust must limit the rebates for electric bicycles under the program to recipients who are low-income and moderate-income individuals and to entities that serve low-income and moderate-income individuals, as determined by the trust. For a recipient to receive a rebate for the purchase of an electric bicycle under the program, the electric bicycle must serve as the recipient's principal means of commuting, as determined by the trust.

LD 325 An Act to Require Transparency in Public Utility Advertising Expenditures

ENACTED LAW SUMMARY

Public Law 2023, chapter 286 repeals the section of existing law governing the expenses a public utility may not include in its operating expenses and replaces it with a law that does the following.

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1. It prohibits a public utility from including in operating expenses to be recovered from rates certain expenses incurred by the public utility or an affiliated interest.
2. It permits certain public utilities to include in operating expenses those expenses related to educational expenditures and contributions to a trade association, chamber of commerce, or public charity.
3. It requires a public utility to file expense reports with the commission and make those reports available to the public for inspection.
4. It specifies that commission rules related to political activities, promotional advertising, charitable contributions, educational expenditures and institutional advertising are routine technical rules.
5. It requires the commission, by November 1, 2023, to initiate rulemaking to amend its rules to implement the requirements of the law.

LD 327 An Act to Provide Maine Ratepayers with Equitable Access to Interconnection of Distributed Generation Resources

ENACTED LAW SUMMARY

Public Law 2023, chapter 307 makes several changes to the Maine Solar Energy Act and directs the Public Utilities Commission to engage in activities related to interconnection.

1. It creates a position within the commission for an interconnection ombudsman and establishes the duties of this position. It requires the commission to make a good faith effort to appoint an interconnection ombudsman within 12 months of the effective date of the law.
2. It directs the commission to monitor the level of solar energy development in the State, basic trends in solar energy markets and the relative costs and benefits of solar energy development. It requires the commission to provide, by January 1st of each year a summary report regarding its monitoring activities to the joint standing committee of the Legislature having jurisdiction over energy matters.
3. It directs the commission to adopt interconnection rules applicable to solar resources and to energy storage systems within six months of the effective date of the law. The rules must prioritize interconnection of solar resources and energy storage systems owned by customers of investor-owned transmission and distribution utilities to offset on-site load.
4. It requires the commission to contract with an expert to conduct an evaluation of and issue a report addressing whether treating distributed generation resources that use the tariff rate program as load-reducing resources will provide greater value to all ratepayers than treating those resources as wholesale generation resources and whether the tariff rate established by the Maine Revised Statutes, Title 35 A, section 3209-B, subsection 5 has been implemented in a