

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
131<sup>ST</sup> 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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131<sup>ST</sup> LEGISLATURE  
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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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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

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way that maximizes the value of the portfolio of the resources to all ratepayers. The commission must provide a copy of the expert's report and a description of any actions the commission recommends with respect to the findings in the report to the joint standing committee of the Legislature having jurisdiction over energy matters by September 1, 2024.

5. It requires the commission to establish an interconnection working group to collaborate to prevent and resolve disputes relating to the implementation of the State's small generator interconnection procedures for Level 1 and Level 2 facilities. The working group must meet monthly for its first year and at least quarterly thereafter until the working group submits its final report. The working group's final report must be submitted to the joint standing committee of the Legislature having jurisdiction over energy matters by December 6, 2025.

### **LD 395 An Act to Expand Funding Sources Within the Public Utilities Commission for Intervenor and Participant Funding**

#### **ENACTED LAW SUMMARY**

Public Law 2023, chapter 143 amends the law governing intervenor funding in the following ways.

1. It expands the law's applicability to include participants in nonadjudicatory proceedings before the Public Utilities Commission.
2. It includes administrative penalties collected by the commission in the allowable sources of funding for intervenor or participant participation in commission proceedings.
3. It limits funding for an intervenor or participant in a commission proceeding involving a water utility to only administrative penalties deposited in the Public Utilities Commission Reimbursement Fund.

### **LD 396 An Act to Preserve the 207 Area Code and Impede So-called Robocalling**

#### **ENACTED LAW SUMMARY**

Public Law 2023, chapter 144 establishes various requirements related to voice network service providers that acquire and place into service numbering resources for the State's numbering plan area from the North American Numbering Plan Administrator or its successor.

1. It requires voice network service providers to pay into the State's universal service fund and telecommunications education access fund.
2. It provides the Public Utilities Commission with the authority to investigate voice network service providers for compliance with the requirements to contribute to the State's universal service fund and telecommunications education access fund.