

# 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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**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>

**STATE OF MAINE**  
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.

## JOINT STANDING COMMITTEE ON ENERGY, UTILITIES AND TECHNOLOGY

### LD 1850 An Act Relating to Energy Storage and the State's Energy Goals

#### ENACTED LAW SUMMARY

Public Law 2023, chapter 374 does the following.

1. It modifies the state goal for energy storage system development to at least 300 megawatts of installed capacity by December 31, 2025 and at least 400 megawatts by December 31, 2030. It provides that, beginning January 1, 2024 and every 2 years thereafter, the Governor's Energy Office may reevaluate and increase the state goal.
2. It directs the office, in consultation with the Public Utilities Commission, to evaluate designs for and recommend a program to procure commercially available utility-scale energy storage systems connected to the transmission and distribution systems, including but not limited to through the use of an index storage credit mechanism. It directs the commission to evaluate whether the program recommended by the office is reasonably likely to achieve the certain objectives. Upon finding the proposed program reasonably likely to achieve those objectives, the commission must take steps to implement the program in accordance with any applicable authority the commission may have and the commission may submit to the joint standing committee of the Legislature having jurisdiction over energy matters recommendations for any changes to law needed to allow the commission to fully implement the program. The joint standing committee may report out legislation related to energy storage to the 132nd Legislature in 2025.
3. It requires the office to study long-duration energy storage and submit a report to the Joint Standing Committee on Energy, Utilities and Technology no later than February 1, 2024. The report must include a discussion of technology options for long-duration energy storage, an overview of known cost and performance characteristics, a discussion of scenarios for the use of long-duration energy storage and consideration of whether and under what conditions the use of long-duration energy storage would be cost-effective for ratepayers in the state.
4. It directs the commission to solicit stakeholder input on whether an investor-owned transmission and distribution utility may own, have a financial interest in or otherwise control energy storage systems in order to perform its obligations as a transmission and distribution utility in an effective, prudent and efficient manner. The commission is required to submit a report containing any recommendations based on its activities to the Joint Standing Committee on Energy, Utilities and Technology no later than February 15, 2024.

### LD 1887 An Act to Clarify the Review and Procurement Process for Nonwires Alternatives

#### ENACTED LAW SUMMARY

Public Law 2023, chapter 355 makes the following changes to the laws governing electric transmission lines and projects and nonwires alternatives.

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

1. It repeals the definition of "nontransmission alternative" and incorporates aspects of the definition of "nontransmission alternative" into the definition of "nonwires alternative." It includes energy storage as a nonwires alternative in the definition of "nonwires alternative."
2. It amends the existing definition of "transmission project" and adds a definition of "subtransmission project."
3. It prohibits a person from constructing a subtransmission project without approval from the Public Utilities Commission.
4. It allows an investor-owned transmission and distribution utility or the Office of the Public Advocate to petition commission to resolve a dispute between the nonwires alternative coordinator and the utility regarding nonwires alternatives to proposed small transmission projects and distribution projects.
5. It provides that an investor-owned transmission and distribution utility may request a protective order if necessary to protect the confidentiality of customer data or critical energy infrastructure information provided to the Public Advocate or the Efficiency Maine Trust to allow the nonwires alternative coordinator to carry out certain investigation and analysis.
6. It provides that when the commission determines a nonwires alternative is appropriate in certain cases involving the review of transmission and distribution projects, the nonwires alternative must be prudently procured.
7. It removes language that provides that when an investor-owned transmission and distribution utility voluntarily agrees to a nonwires alternative on the grid side of the meter regarding certain small transmission and distribution projects, the utility must determine the entity to deliver the nonwires alternative.

### **LD 1895 An Act Regarding the Procurement of Energy from Offshore Wind Resources**

#### **ENACTED LAW SUMMARY**

Public Law 2023, chapter 481 does the following.

1. It requires an agreement for construction work in connection with the construction or alteration of an offshore wind terminal that is a public work to support an offshore wind power project to comply with the requirements applicable to either a project labor agreement or community and workforce enhancement standards. It provides that if an offshore wind power project involves a public-private partnership that includes the lease of an offshore wind terminal owned or operated by the State, the department, authority or other agency responsible for granting the lease must require agreements that comply with the requirements applicable to either a project labor agreement or community and workforce enhancement standards as a condition of the lease for all on-site construction and fabrication of materials for the offshore wind power project.