

MAINE STATE LEGISLATURE

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STATE OF MAINE
131ST LEGISLATURE
SECOND REGULAR SESSION



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

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

June 2024

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STATE OF MAINE

131ST 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 Second Regular Session 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 Second Regular Session of the 131st Legislature is Friday, August 9, 2024. 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 1967 An Act to Support Municipal Franchise Agreements

ENACTED LAW SUMMARY

Public Law 2023, chapter 502 amends the State’s laws governing municipal cable television systems ordinances as follows.

1. It adds definitions for “facility support transmission equipment”; “public, educational and governmental facility equipment”; “public, educational and governmental programming”; and “video service provider”.
2. It amends those laws to clarify the regulation under those laws of video service providers, which includes cable system operators.
3. It repeals the law requiring a cable system operator to offer subscribers the option of purchasing access to cable channels or programs on cable channels individually.
4. It provides that all costs associated with public, educational and governmental facility equipment shown by the franchising municipality to be reasonably necessary for the operation of public, educational and governmental access channels within a franchising municipality, including technology upgrade costs for signal quality improvement, are the responsibility of the video service provider that holds the franchise agreement. The video service provider may not offset such costs through the payment of required franchise fees, but may recover the costs through other means as permitted by law.
5. It requires new facility support transmission equipment installed to be at the current resolution technology afforded to broadcasting stations.
6. It removes language authorizing municipalities to enter into exclusive franchise agreements or contracts with a video service provider.
7. It prohibits video service providers from providing services within a municipality unless the provider has entered into a franchise agreement or contract with that municipality.
8. It prohibits a video service provider from establishing mandatory preconditions to be met by potential subscribers for the construction of a line extension on a municipal public right-of-way.
9. It establishes various requirements for the provisions of any new, renewed or amended franchise agreements between a municipality and a video service provider regarding franchise fees, including a requirement that video service providers pay a franchise fee on a quarterly basis to each municipality with which it has a fee requirement.
10. It requires a video service provider to carry public, educational and governmental access channels on the provider’s basic cable or video service offerings, tiers or applications.

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11. It provides that a violation of the Maine Revised Statutes, Title 30-A, section 3008 is a violation of the Maine Unfair Trade Practices Act.
12. It establishes dispute resolution options for disputes that arise between a franchising municipality and a video service provider over their respective obligations under a franchise contract or agreement.
13. It clarifies that the consumer protection provisions in law currently available to consumers with respect to cable television service apply to the services provided by video service providers.

LD 2067 An Act to Continue the Arrearage Management Program for Low-income Residential Electricity Customers

ENACTED LAW SUMMARY

Public Law 2023, chapter 534 extends the repeal date for the arrearage management program from September 30, 2024 to September 30, 2028. It also changes the requirements for the Public Utilities Commission's report on the effectiveness of the arrearage management program and changes the reporting date to no later than January 28, 2028.

Public Law 2023, chapter 534 was enacted as an emergency measure effective March 14, 2024.

LD 2087 An Act to Protect Property Owners by Making Certain Changes to the Laws Governing the Use of Eminent Domain by Transmission and Distribution Utilities

ENACTED LAW SUMMARY

Public Law 2023, chapter 644 does the following.

1. It requires the Department of Agriculture, Conservation and Forestry, Bureau of Parks and Lands to adopt rules pursuant to the Maine Revised Statutes, Title 12, section 598-C to provide, in the case of a high-impact electric transmission line crossing or utilizing a rail trail or recreational corridor or land of similar configuration designated under Title 12, chapter 202-A, criteria for determining that the high-impact transmission line would not cause the land to be reduced or the uses of the land to be substantially altered.
1. It defines the term “service land” and excepts those lands from the provision of law that considers a high-impact electric transmission line crossing or utilizing public lands a substantial alteration.
2. It defines a “high-impact transmission line” and prohibits the Public Utilities Commission from approving a transmission and distribution utility’s taking of a location for a high-impact electric transmission line by eminent domain if the location is on a lot or parcel of real property that is 200 contiguous acres or less and the transmission and distribution utility seeks to take