

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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**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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Private and Special Law 2023, chapter 8 was enacted as an emergency measure effective June 13, 2023.

LD 1971 Resolve, to Ensure that Eligible Customers Receive Payments from the Energy Rate Relief Fund

ENACTED LAW SUMMARY

Resolve 2023, chapter 104 ensures that an eligible customer of an electric utility receives a payment from the Energy Rate Relief Fund under Resolve 2021, chapter 168 even if that customer did not receive a February 2022 invoice from that electric utility.

Resolve 2023, chapter 104 was finally passed as an emergency measure effective July 26, 2023.

LD 1986 An Act Relating to Net Energy Billing and Distributed Solar and Energy Storage Systems

ENACTED LAW SUMMARY

Public Law 2023, chapter 411 does the following.

1. It establishes the Distributed Solar and Energy Storage Program to obtain and provide federal funding to foster the continued growth of cost-effective distributed solar facilities and energy storage systems in the State.
2. It limits participation in the kilowatt hour credit and tariff rate net energy billing programs for distributed generation resources with a nameplate capacity greater than or equal to one megawatt and less than or equal to two megawatts to those resources that, on or before December 31, 2024, reach commercial operation by the date specified in the net energy billing agreement or by the date specified with an allowable modification to that agreement.
3. After December 31, 2023, it limits participation in the tariff rate net energy billing program to distributed generation resources that are collocated with all of the distributed generation resource's net energy billing customers and those customers are subscribed to 100% of the facility's output. The limitation does not apply to a distributed generation resource with a net energy billing agreement that was executed on or before December 31, 2023.
4. It requires the Public Utilities Commission to annually determine the net energy billing costs and the benefits of distributed generation under net energy billing programs for the previous year and to allocate to each investor-owned transmission and distribution utility its pro rata share of net energy billing costs. The allocation must be based on each utility's total retail kilowatt-hour energy sales to ratepayers that pay net energy billing costs.

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5. It establishes parameters for a competitive solicitation and procurement by the commission that may procure energy or renewable energy credits from distributed generation resources that have met or are reasonably likely to meet certain net energy billing eligibility criteria as determined by the commission or, for distributed generation resources that have a nameplate capacity of at least one megawatt and not more than two megawatts, are a member of a cluster study conducted by a transmission and distribution utility or are likely to receive required transmission approval from the New England independent system operator on or before April 30, 2024. If the commission determines that a procurement of energy or renewable energy credits is in the public interest, the commission must select distributed generation resources for contracts. Distributed generation resources that are awarded contracts as a result of the competitive solicitation may not participate in net energy billing and must terminate any net energy billing arrangements or agreements.
6. It directs the commission to conduct one or more proceedings to examine and evaluate designs for programs to reduce net energy billing costs in which a distributed generation resource may elect to participate, including, but not limited to, designs that include long-term financial mechanisms and buy-down arrangements. If the commission finds the implementation of a program to be in the public interest, the commission must establish and implement the program. By March 31, 2024, the commission must provide a report of its activities regarding these programs to the Joint Standing Committee on Energy, Utilities and Technology.

LD 2012 An Act to Prohibit Early Termination Fees for Residential Electric Generation Service Contracts

Enacted Law Summary

Public Law 2023, chapter 375 prohibits a competitive electricity provider from entering into or renewing a contract for generation service that imposes an early termination fee.

LD 2013 An Act to Address Abandoned Capital Credits Held by Rural Electrification Cooperatives

Enacted Law Summary

Public Law 2023, chapter 483 provides that a deposit or refund owed to a member of a rural electrification cooperative that is unclaimed by the member one year after the deposit or refund becomes payable must be used to provide assistance to low income households.