

STATE OF MAINE
126TH LEGISLATURE
SECOND REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed

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

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STATE OF MAINE
126TH LEGISLATURE
SECOND REGULAR SESSION
LEGISLATIVE DIGEST OF BILL SUMMARIES AND
ENACTED LAWS

The *Digest* is arranged within each committee by Legislative Document (LD) number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each LD title. All adopted amendments are summarized and listed by paper number. A subject index is included with each committee.

Final action on each LD is noted to the right of the LD title. 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 HOUSESHouse & 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
EMERGENCYenacted 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 126th Legislature is August 1, 2014. 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 38 Resolve, Regarding Legislative Review of Chapter 201: Provider of Last Resort Service Quality, a Major Substantive Rule of the Public Utilities Commission Veto Sustained

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM OTP-AM	H-727

This bill was carried over from the First Regular Session of the 126th Legislature.

This resolve provides for legislative review of Chapter 201: Provider of Last Resort Service Quality, a major substantive rule of the Public Utilities Commission.

Committee Amendment "A" (H-727)

This amendment is the majority report of the committee. It authorizes final adoption of Chapter 201: Provider of Last Resort Service Quality, a provisionally adopted major substantive rule of the Public Utilities Commission, that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, if certain specified changes are made to the rule. The amendment also strikes the emergency preamble and emergency clause.

Committee Amendment "B" (H-728)

This amendment is the minority report of the committee. The amendment provides that the final adoption of Chapter 201: Provider of Last Resort Service Quality, a provisionally adopted major substantive rule of the Public Utilities Commission that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is not authorized. The amendment also removes the emergency preamble and the emergency clause.

LD 196 An Act Regarding the Implementation of the Quality Assurance Program for Public Safety Answering Points ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BEAVERS CLEVELAND	ONTP	

This bill was carried over from the First Regular Session of the 126th Legislature.

This bill directs the Public Utilities Commission, Emergency Services Communication Bureau to implement the public safety answering point quality assurance program established in 2010 through the use of one or more third-party vendors and ensure that the financing of that program is accomplished with resources other than increased assessments to the municipalities subscribing to or providing the public safety answering point services.

LD 275 Resolve, To Require the Emergency Services Communication Bureau To Expand the Existing Quality Assurance System ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAVIELLO HARVELL	ONTP	

Joint Standing Committee on Energy, Utilities and Technology

This bill was carried over from the First Regular Session of the 126th Legislature.

This resolve directs the Public Utilities Commission, Emergency Services Communication Bureau to expand its quality assurance system to include fire and police call processing and dispatching and also to expand its emergency medical dispatch structured protocol system to include equivalent fire and police protocols and to authorize necessary 9-1-1 funding.

LD 616 An Act To Amend the Expedited Permitting Area for Wind Energy Development under the Jurisdiction of the Maine Land Use Planning Commission Died Between Houses

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUNPHY SHERMAN	OTP-AM ONTP	

This bill was carried over from the First Regular Session of the 126th Legislature.

This bill amends unallocated language in Public Law 2007, chapter 661, "An Act To Implement Recommendations of the Governor's Task Force on Wind Power Development," to remove Carrying Place Township, Concord Township, Highland Plantation, Lexington Township and Pleasant Ridge Plantation from the expedited permitting area for the purposes of that Act and directs the Maine Land Use Planning Commission to amend its rules accordingly.

Committee Amendment "A" (H-527)

This amendment, which was the majority report of the committee during the First Regular Session of the 126th Legislature, requires the Maine Land Use Planning Commission to adopt major substantive rules to establish a process to remove a specific location from the expedited permitting area for certain wind energy development under the Maine Revised Statutes, Title 35-A, chapter 34-A. This amendment prohibits the Department of Environmental Protection from accepting an application for a permit for an expedited wind energy development under certain circumstances in Carrying Place Township, Concord Township, Highland Plantation, Lexington Township and Pleasant Ridge Plantation until after the process for removal of a specified place from the expedited permitting area is established by the Maine Land Use Planning Commission. The amendment adds an appropriations and allocations section.

The bill was referred back to the Energy, Utilities and Technology Committee and carried over to the Second Regular Session of the 126th Legislature.

Committee Amendment "B" (H-528)

This amendment, which was the minority report of the committee during the First Regular Session of the 126th Legislature, replaces the bill. It requires the Maine Land Use Planning Commission to adopt major substantive rules to establish a process to remove a specific location from the expedited permitting area for certain wind energy development under the Maine Revised Statutes, Title 35-A, chapter 34-A. It specifies that the process must include a petition and limits the removal to places that are adjacent to locations that are not within the expedited permitting area and requires that the removal of the place not compromise the fulfillment of the State's wind energy policies. The amendment also adds an appropriations and allocations section.

The bill was referred back to the Energy, Utilities and Technology Committee and carried over to the Second Regular Session of the 126th Legislature.

Committee Amendment "C" (H-638)

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This amendment is the majority report of the committee during the Second Regular Session of the 126th Legislature. This amendment replaces the bill. This amendment directs the Maine Land Use Planning Commission to adopt rules that govern the rule-making process for removing locations from the expedited permitting area. This amendment authorizes the Maine Land Use Planning Commission to remove locations from the expedited permitting area through rulemaking and exempts that rulemaking from the requirements concerning notice to the Legislature and inclusion in the regulatory agenda. This amendment prohibits the Maine Land Use Planning Commission from certifying that an expedited wind energy development is an allowable use in a location for which a petition is pending for removal from the expedited permitting area. The amendment also adds an appropriations and allocations section.

LD 646 An Act To Remove the 100-megawatt Limit on Renewable Sources of Energy **Accepted Majority (ONTP) Report**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
YOUNGBLOOD DUNPHY	ONTP OTP-AM	

This bill was carried over from the First Regular Session of the 126th Legislature.

This bill removes the 100-megawatt maximum capacity limit for a source of electrical generation to qualify as a renewable resource for purposes of meeting the State's renewable resource portfolio requirement.

Committee Amendment "A" (S-453)

This amendment is the minority report. It removes the 100 megawatt capacity limit that applies to renewable resources that participate in the renewable portfolio program and establishes a temporary alternative renewable portfolio program for certain renewable capacity resources.

LD 796 Resolve, To Enhance Economic Development by Encouraging Businesses Adjacent to Electric Power Generators To Obtain Power Directly **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CAMPBELL R TUTTLE	ONTP	

This bill was carried over from the First Regular Session of the 126th Legislature. The committee, by letter dated June 19, 2013, requested that the Public Utilities Commission provide a report on the progress of a pending rate design case at the commission as it pertains to the policy issues raised in this bill. The commission submitted that report to the committee on December 10, 2013.

This resolve is a concept draft pursuant to Joint Rule 208.

This resolve proposes to establish a stakeholder group to identify barriers to and incentives for the direct purchase of electricity by businesses adjacent to electricity-generating facilities, with the intent that the direct purchase of the electricity will decrease total electricity costs to the businesses.

The stakeholder group may be chaired by a representative of the Public Utilities Commission, the Office of the Public Advocate or the Governor's Energy Office. Stakeholders may include representatives from the Public Utilities Commission, the Office of the Public Advocate, the Governor's Energy Office, the Department of Economic and Community Development, municipalities, business associations, transmission and distribution

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utilities, electricity generators and up to two Legislators appointed by the presiding officers. Other than the two Legislators appointed by the presiding officers, the members of the stakeholder group may be appointed by the Public Utilities Commission, the Office of the Public Advocate or the Governor's Energy Office.

The stakeholder group is required to examine the effects of exit fees, limitations on authority to construct electric transmission lines and the need for backup service from transmission and distribution utilities on the ability of a business to purchase electricity directly from an electricity-generating facility adjacent to the business's property. Additionally, the stakeholder group may consider the feasibility of designating businesses located adjacent to electricity-generating facilities as Pine Tree Development Zone businesses, regardless of the type of business, in order to encourage development in those locations so that the businesses may take advantage of the benefits provided in the Maine Revised Statutes, Title 35-A, section 3210-E.

The stakeholder group is required to report to the Joint Standing Committee on Energy, Utilities and Technology by January 15, 2014 the findings and recommendations of the stakeholder group, including any suggested legislation. The committee is authorized to report out a bill relating to the report to the Second Regular Session of the 126th Legislature.

LD 826 An Act To Eliminate the Opt-out Charges for Smart Meters ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BEAVERS JACKSON T	ONTP	

This bill was carried over from the First Regular Session of the 126th Legislature.

This bill prohibits a transmission and distribution utility from charging a customer a fee or a higher rate for declining the installation or for the removal of a wireless smart meter. If a customer declines the installation of a wireless smart meter, the transmission and distribution utility may decrease the number of times the electromechanical meter is read, but may not read the meter less frequently than once every 12 months, and may establish a rate collection method that is based upon the average electricity consumption of the customer.

LD 950 An Act To Establish the Electromagnetic Field Safety Act ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SANDERSON	ONTP	

This bill was carried over from the First Regular Session of the 126th Legislature. The committee, by letter dated June 19, 2013, requested that the Public Utilities Commission provide information regarding the potential health impacts of electric and magnetic fields associated with transmission lines and additional information regarding the mitigation techniques proposed in the bill. The commission submitted that information to the committee on November 30, 2013.

This bill requires that, beginning October 1, 2013, all new transmission line and electrical installations capable of carrying 5,000 volts or more of electricity must be set back at least 300 feet from residential homes, residential care facilities, hospitals, schools, licensed daycare facilities, playgrounds, youth centers, religious facilities and youth camps.

The committee voted the bill ought not to pass and sent letters to the Joint Standing Committee on Health and Human Services, the Joint Standing Committee on Education and Cultural Affairs and the Joint Standing Committee

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on Labor, Commerce, Research and Economic Development regarding the potential health impacts of electric and magnetic fields associated with transmission lines.

LD 965 An Act To Improve Maine's Underground Facility Damage Prevention Program ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BEAULIEU CLEVELAND	ONTP	

This bill was carried over from the First Regular Session of the 126th Legislature.

This bill establishes the Dig Safe Advisory Board, which will collaborate with the Public Utilities Commission for the purpose of improving the protection of underground facilities. The bill also requires that persons who own underground facilities and who are not members of the underground facility damage prevention system register their facilities with the Public Utilities Commission and provide the commission with current 24-hour contact information for purposes of notification regarding excavations.

LD 1004 An Act To Clarify Voting Procedures for Standard Water Districts ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HOBBINS	ONTP	

This bill was carried over from the First Regular Session of the 126th Legislature.

This bill clarifies voting procedures for standard water districts. Currently, standard district charters and charter amendments approved by the Legislature and the Maine Revised Statutes, Title 35-A, sections 6410, 6413 and 6413-A use language to the effect that referendum elections or trustee elections must be conducted in accordance with the laws relating to municipal elections without explicitly stating that the secret ballot method of voting is to be used. This bill clarifies that secret ballot voting in accordance with Title 30-A, section 2528 is the method to be used to enact or amend a standard district charter by referendum, to elect trustees or to establish or amend a debt limit by referendum, even if a municipality in which the standard district is located has not accepted this method of voting.

LD 1013 An Act To Create the Wireless Information Act Died On Adjournment

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BOLAND COLLINS	OTP-AM ONTP	H-618 H-674 BOLAND

This bill was carried over from the First Regular Session of the 126th Legislature.

This bill provides that a retailer may not sell at retail in this State a cellular telephone unless the cellular telephone and its packaging bear a warning label relating to the potential health effects associated with nonthermal effects of cellular telephone radiation. It requires the manufacturer of the cellular telephone to provide the warning labels to the retailer at no cost to the retailer. The bill also requires that any safety notification supplied by a cellular telephone manufacturer must have the language of the safety notification plainly visible on the outside of the

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product package or, if using a label, the label must be plainly visible on the outside of the package. This bill also requires the retailer to provide an information bulletin to the purchaser of a cellular telephone informing the purchaser of potential health risks associated with the use of cellular telephones. A violation of this provision is a violation of the Maine Unfair Trade Practices Act.

Committee Amendment "A" (H-618)

This amendment replaces the bill. It requires that any notification related to radio-frequency exposure supplied by a cellular telephone manufacturer must have the language of the notification plainly visible on the outside of the product packaging or a label, plainly visible on the outside of the product packaging, directing the consumer where to find the information. A violation of this provision is a violation of the Maine Unfair Trade Practices Act.

House Amendment "A" To Committee Amendment "A" (H-674)

This amendment provides that the requirements governing the labeling of cellular telephones or cellular telephone packaging relating to radio-frequency exposure applies only to cellular telephones sold at retail in Maine. This amendment also requires that before this legislation takes effect, four other states must adopt legislation requiring labeling of cellular telephones or cellular telephone packaging relating to radio-frequency exposure.

LD 1060 An Act To Lower Electrical Costs through Transmission Alternatives and Renewable Sources

Veto Sustained

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
NEWENDYKE	OTP-AM OTP-AM	H-646

This bill was carried over from the First Regular Session of the 126th Legislature.

This bill requires that the Public Utilities Commission may not issue a certificate of public convenience and necessity for the construction of a transmission line unless a description of the need for the proposed transmission line is provided; an analysis of nontransmission alternatives is conducted by an independent third party selected by the Public Utilities Commission; the projected cost of the proposed transmission line is compared to the projected cost of feasible nontransmission alternatives based on total projected costs, regardless of who pays; preference is given to lower-cost alternatives; cleaner alternatives are given preference over alternatives that rely on fossil fuels; the Public Utilities Commission makes specific findings as to whether alternatives can address the identified need at lower total cost; and all cost-effective energy efficiency and demand response resources are being acquired in the applicable service territory of the utility that has proposed the project. This bill requires that, when the commission determines that the nontransmission alternatives can address the need at lower total cost but represent a larger increased cost to ratepayers of the State than the proposed transmission line, the commission make reasonable efforts to achieve an agreement among the states within the New England independent system operator region to allocate the cost of the nontransmission alternatives among the ratepayers of the region using the allocation method used for transmission lines or another allocation method that results in lower increased cost to ratepayers of the State.

This bill also requires that lower-voltage projects that are capable of operating at less than 69 kilovolts and projected to cost in excess of \$20,000,000 must be reviewed and approved by the Public Utilities Commission before erection of the transmission line. The bill also establishes standards the Public Utilities Commission must use to review a lower-voltage project.

The committee included provisions related to non-transmission alternatives in LD 1559, An Act to Reduce Energy Costs, Increase Energy Efficiency, Promote Electric System Reliability and Protect the Environment during the First Regular Session of the 126th Legislature.

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Committee Amendment "A" (H-646)

This amendment is the majority report of the Joint Standing Committee on Energy, Utilities and Technology. This amendment strikes and replaces the bill.

This amendment:

1. Increases the capacity limit of eligible facilities under the net energy billing program from 660 kilowatts to one megawatt;
2. Directs the Public Utilities Commission to adopt rules requiring investor-owned transmission and distribution utilities to compensate customers that generate accumulated unused kilowatt-hour credits under the net energy billing program at a value that represents the wholesale value of electricity; and
3. Directs the Public Utilities Commission in consultation with the State's investor-owned transmission and distribution utilities, the Efficiency Maine Trust and others to submit a report to the joint standing committee of the Legislature having jurisdiction over energy and utilities matters by January 7, 2015. The purpose of the report is to identify areas of stress or reliability deficiencies in the transmission and distribution system as early as possible in order to allow sufficient time to plan and implement more cost-effective alternatives to building or upgrading distribution lines to meet reliability needs.

Committee Amendment "B" (H-647)

This amendment is the minority report of the Joint Standing Committee on Energy, Utilities and Technology. This amendment strikes and replaces the bill. This amendment directs the Public Utilities Commission in consultation with the State's investor-owned transmission and distribution utilities, the Efficiency Maine Trust and others to submit a report to the joint standing committee of the Legislature having jurisdiction over energy and utilities matters by January 7, 2015. The purpose of the report is to identify areas of stress or reliability deficiencies in the transmission and distribution system as early as possible in order to allow sufficient time to plan and implement more cost-effective alternatives to building or upgrading distribution lines to meet reliability needs.

LD 1085 An Act To Establish the Renewable Energy Feed-in Tariff

**Accepted Majority
(ONTP) Report**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JOHNSON C	ONTP OTP-AM	

This bill was carried over from the First Regular Session of the 126th Legislature.

This bill requires the Public Utilities Commission to establish a renewable energy resources feed-in tariff program to encourage the rapid and sustainable development of renewable energy resources and technology for environmentally healthy generation of electricity. It requires that utilities purchase renewably produced electricity from all qualified suppliers. It sets the rate that electric utilities must pay for such power. It requires that utilities enter into a standard contract with all renewable energy suppliers for a set term. It establishes for the Public Utilities Commission management and oversight responsibilities.

Committee Amendment "A" (S-396)

This amendment incorporates a fiscal note.

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LD 1147 An Act To Protect Maine's Scenic Character

**Accepted Majority
(ONTP) Report**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HAYES	ONTP OTP-AM	

This bill was reported out of the Joint Standing Committee on Environment and Natural Resources during the First Regular Session of the 126th Legislature with a majority report to refer the bill to the Joint Standing Committee on Energy Utilities and Technology. The bill was referred to the Joint Standing Committee on Energy, Utilities and Technology and carried over from the First Regular Session of the 126th Legislature.

This bill makes several changes to the scenic impact provisions of the laws governing expedited permitting of grid-scale wind energy development enacted in 2008. It offers the possibility of protecting scenic resources that have been identified as significant by municipalities in their comprehensive plans and the scenic resources of certain great ponds on which there are commercial sporting camps; increases from 8 miles to 15 miles the jurisdictional distance for requiring visual impact assessments; and creates a rebuttable presumption that proposed grid-scale wind energy development projects within 15 miles of Acadia National Park, Baxter State Park, the Appalachian Trail, a federally designated wilderness area or the Allagash Wilderness Waterway will have an unreasonable adverse effect on a scenic resource. It requires the Department of Environmental Protection to consider the cumulative impacts of development when permitting grid-scale wind energy development projects under the laws governing expedited permitting of grid-scale wind energy development. It requires the Department of Environmental Protection to undertake rulemaking with respect to required decommissioning plans and directs updates of the great ponds studies done in 1987 and 1989.

Committee Amendment "A" (H-550)

This amendment is the minority report of the Joint Standing Committee on Environment and Natural Resources during the First Regular Session of the 126th Legislature and replaces the bill. It adds a new definition of "cumulative scenic impact or effect" to address potential cumulative impacts related to multiple wind energy generating facilities that are observed from a scenic resource of state or national significance. It changes the size of the area in which an analysis of visual impact must be undertaken from 3 and 8 miles currently to 8 and 15 miles. It creates a rebuttable presumption of unreasonable adverse effect on scenic character if the generating facility is located within 15 miles of Acadia National Park, the Appalachian Trail, a federally designated wilderness area, Baxter State Park or the Allagash Wilderness Waterway.

Committee Amendment "B" (H-738)

This amendment is the minority report of the Joint Standing Committee on Energy, Utilities and Technology during the Second Regular Session of the 126th Legislature. It makes changes to the bill, including:

1. Creating several new definitions relating to the scenic impact of a wind energy development;
2. Adding to the definition of "scenic resource of state or national significance" great ponds that were not studied for their scenic values in 1987 or 1989 and that the Department of Environmental Protection finds have outstanding or significant scenic quality using the assessment criteria in the 1989 Maine's Finest Lakes study;
3. Removing from current law a requirement that judicial appeals of final action by the Board of Environmental Protection or the Commissioner of Environmental Protection regarding an expedited wind energy development be taken directly to the Supreme Judicial Court sitting as the Law Court;
4. Removing the provisions of the bill that apply the scenic impact laws to scenic resources of local significance;

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and

5. Creating a rebuttable presumption of unreasonable adverse effect on scenic character if a generating facility is located within 15 miles from certain scenic resources of state or national significance.

LD 1252 An Act To Improve Maine's Economy and Energy Security with Cost-effective Technologies

Veto Sustained

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MORRISON	OTP-AM	H-650
GRATWICK	OTP-AM ONTP	H-744 HARVELL

This bill was carried over from the First Regular Session of the 126th Legislature.

This bill reinstates the solar and wind energy rebate program to provide rebates for the purchase of certain solar and wind energy equipment until June 30, 2018. The program expired December 31, 2010. This bill also increases the limit on the total amount of renewable capacity allowed under the community-based renewable energy pilot program from 50 megawatts to 60 megawatts and requires the Public Utilities Commission to reserve 10 megawatts in that program for solar-powered generating systems. The bill increases the limit on the contract price the commission can authorize for eligible solar-power generation under the community-based renewable energy pilot program and indexes the price limit to the Consumer Price Index. It also extends the repeal date for the Community-based Renewable Energy Act from December 31, 2015 to December 31, 2017. The bill requires the commission to submit to the Legislature by January 15, 2014 a report on options for establishing setting an amount of energy purchased that must be solar within the State's renewable portfolio standard.

Committee Amendment "A" (H-650)

This amendment is the majority report of the Joint Standing Committee on Energy, Utilities and Technology. This amendment replaces the bill. It establishes the Renewable Energy Rebate Program Fund under the Efficiency Maine Trust. The trust is required to provide rebates for the purchase of certain solar energy equipment until December 31, 2016. The rebate program is funded by an assessment of .011¢ per kilowatt-hour on electricity bills. The amendment also adds an appropriations and allocations section.

Committee Amendment "B" (H-651)

This amendment is the minority report of the Joint Standing Committee on Energy, Utilities and Technology and replaces the bill. This amendment establishes a sales tax exemption for solar photovoltaic and solar thermal systems purchased for the purpose of generating energy for personal or private use. The sales tax exemption is repealed December 31, 2016. The amendment allows the joint standing committee of the Legislature having jurisdiction over energy and utilities matters to report out legislation to change the repeal date if the federal tax credit for residential energy efficient property is extended beyond December 31, 2016.

House Amendment "C" To Committee Amendment "A" (H-744)

This amendment changes the name of the fund established in Committee Amendment "A" to the Solar Energy and Heat Pump Rebate Program Fund and expands the permitted use of the fund to include rebates for heat pumps. The amendment requires the Efficiency Maine Trust to establish, by routine technical rules, criteria for eligibility of technology and entities. Only persons who are residents of this State or that are domiciled in this State are eligible for rebates. In addition, only individuals who qualify for the Low-income Home Energy Assistance Program are eligible to receive rebates for both solar technologies and heat pumps. Other persons, including individuals and commercial, nonprofit or government entities that do not qualify for the Low-income Home Energy Assistance Program may qualify for rebates only for solar technologies and only if the solar technologies are installed on facilities located in this State.

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This amendment also replaces the appropriations and allocations section in Committee Amendment "A" to effect the changes made in this amendment.

LD 1278 An Act To Ensure Equitable Support for Long-term Energy Contracts

PUBLIC 454

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
YOUNGBLOOD CAMPBELL R	OTP-AM	S-384

This bill was carried over from the First Regular Session of the 126th Legislature.

This bill ensures that consumers of investor-owned transmission and distribution utilities in the State equitably share in the costs and direct benefits of long-term capacity resource contracts and community-based renewable energy projects. The bill provides that eligible costs and benefits related to these contracts are determined annually based on a forecast and reconciled the following year. The recovery mechanism established in this bill applies to existing long-term contracts and replaces any other recovery mechanism currently in place.

Committee Amendment "A" (S-384)

This amendment clarifies that the Act is to apply to investor-owned transmission and distribution utilities rather than all transmission and distribution utilities. The amendment removes the prescriptive requirements of how the benefit and cost mechanism is to be created in order to provide the Public Utilities Commission with the flexibility to identify the best process. This amendment clarifies that the Act is meant to equally distribute the benefits and costs of long-term energy contracts more equitably among those that currently receive the benefits and pay the costs of long-term energy contracts and that it is not intended to make classes or certain bodies of ratepayers who do not currently receive the benefits or pay the costs of long-term energy contracts do so. This amendment removes the 25-megawatt cap under the community-based renewable energy pilot program. This amendment does not change the total 50-megawatt statewide cap.

Enacted Law Summary

Public Law 2013, chapter 454 requires that customers of investor-owned transmission and distribution utilities in the State equitably share in the costs and direct benefits of long-term capacity resource contracts and community-based renewable energy projects. Chapter 454 provides that eligible costs and benefits related to these contracts are determined annually by the Public Utilities Commission. The recovery mechanism established in chapter 454 applies prospectively to existing long-term contracts and replaces any other recovery mechanism currently in place. Chapter 454 is meant to equally distribute the benefits and costs of long-term energy contracts more equitably among those that currently receive the benefits and pay the costs of long-term energy contracts and is not intended to make classes or certain bodies of ratepayers who do not currently receive the benefits or pay the costs of long-term energy contracts do so. Chapter 454 removes the 25-megawatt cap per utility territory under the community-based renewable energy pilot program but does not change the total 50-megawatt statewide cap.

LD 1323 An Act Regarding Wind Power Siting in the Unorganized Territory

**Died Between
Houses**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HAYES	ONTP OTP-AM	

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This bill was reported out of the Joint Standing Committee on Environment and Natural Resources during the First Regular Session of the 126th Legislature with a majority report to refer the bill to the Joint Standing Committee on Energy Utilities and Technology. The bill was referred to the Joint Standing Committee on Energy, Utilities and Technology and carried over from the First Regular Session of the 126th Legislature.

This bill provides that before the Department of Environmental Protection may approve a proposal for a grid-scale wind energy development in the unorganized or deorganized area of the State, the Maine Land Use Planning Commission must certify that the area where the development will be located has been zoned for planned development and removes a legislative finding regarding wind energy development in the unorganized and deorganized areas of the State.

Committee Amendment "A" (H-549)

This amendment is the minority report of the Joint Standing Committee on Environment and Natural Resources during the First Regular Session of the 126th Legislature and replaces the bill. It repeals the provision of law specifying that an expedited wind energy development is a use requiring a permit but not a special exception. It repeals the requirement that the Department of Agriculture, Conservation and Forestry, Maine Land Use Planning Commission make expedited wind energy development a use allowed with a permit in expedited permitting areas. The effect of the repeals is to require that, in order for a wind energy development in the unorganized or deorganized area of the State to receive a permit from the Department of Environmental Protection or the Maine Land Use Planning Commission, the development must be located in a subdistrict in which it is an allowed use. It also replaces a legislative finding regarding wind energy development in the unorganized and deorganized areas of the State and requires the Maine Land Use Planning Commission to amend its rules regarding allowed uses. This amendment adds an appropriations and allocations section.

Committee Amendment "B" (H-601)

This amendment is the minority report of the Joint Standing Committee on Energy, Utilities and Technology during the Second Regular Session of the 126th Legislature. This amendment adds an appropriations and allocations section. The amendment also changes the date by which the Maine Land Use Planning Commission needs to adopt rules from January 1, 2014 to January 1, 2015.

LD 1396 An Act To Create the Lisbon Water District ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JACKSON T BEAVERS	ONTP	

This bill was carried over from the First Regular Session of the 126th Legislature.

This bill creates the Lisbon Water District.

LD 1434 An Act To Clarify the Laws Governing Noise from Wind Turbines ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JONES	ONTP	

This bill was carried over from the First Regular Session of the 126th Legislature.

This bill requires unregulated wind energy developments that buy and sell electricity to meet the same sound level

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standards that wind energy developments permitted under the Maine Revised Statutes, Title 38, chapter 3, subchapter 1, article 6 must meet.

LD 1479 An Act To Clarify Telecommunications Regulation Reform

PUBLIC 600

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM ONTP	H-740

This bill was carried over from the First Regular Session of the 126th Legislature. This bill:

1. Limits the amount of funds a provider of provider of last resort service can receive from the state universal service fund;
2. Establishes a procedure for the Public Utilities Commission to conduct an emergency rate case in response to a petition for a temporary increase in rates;
3. Provides that the Public Utilities Commission may not reassign the provider of last resort service obligation without the consent of the current service provider unless that provider is unable to provide the service in accordance with state law;
4. Provides that the rate charged to customers for provider of last resort service must be uniform throughout the State for a service provider, must be within two standard deviations of the national average and may not be set at a level that will jeopardize the receipt of federal funding to support telecommunications services;
5. Amends the section of law related to the assessment to fund the Public Utilities Commission and the Office of the Public Advocate to include all utilities that were included prior to the enactment of Public Law 2011, chapter 623. It expands the assessment to include a person that provides voice over Internet protocol service over facilities that it, or an affiliated company, owns or leases, regardless of whether that service provider paid the assessment prior to March 1, 2012.

This bill is reported out by the Joint Standing Committee on Energy, Utilities and Technology pursuant to Public Law 2011, chapter 623, Part A, section 25 and Part D, section 7. As required by law, the Public Utilities Commission submitted to the committee a report to create a framework for establishing rates for provider of last resort service and a report regarding assessments paid by voice service providers on January 15, 2013.

Committee Amendment "A" (H-740)

This amendment is the majority report of the Joint Standing Committee on Energy, Utilities and Technology. This amendment replaces the bill. This amendment amends the section of law related to the assessment to fund the Public Utilities Commission and the Office of the Public Advocate to include all utilities that were included prior to the enactment of Public Law 2011, chapter 623.

This amendment prohibits the commission from collecting funds until 90 days following the adjournment of the First Regular Session of the 127th Legislature for the purpose of disbursing funds from a state universal service fund to any company that operates more than 50,000 access lines in the State unless expressly authorized to do so by law after the effective date of this legislation.

This amendment requires the Public Utilities Commission to submit a report to the joint standing committee of the Legislature having jurisdiction over energy and utilities matters by January 7, 2015. In the report, the commission shall address various options for decreasing the cost of ensuring that there are adequate and affordable basic telephone service options throughout the State. The amendment gives the committee authority to report out a bill

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related to the report.

Enacted Law Summary

Public Law 2013, chapter 600 amends the section of law related to the assessment to fund the Public Utilities Commission and the Office of the Public Advocate to include all utilities that were included prior to the enactment of Public Law 2011, chapter 623. This law prohibits the commission from collecting funds until 90 days following the adjournment of the First Regular Session of the 127th Legislature for the purpose of disbursing funds from a state universal service fund to any company that operates more than 50,000 access lines in the State unless expressly authorized to do so by law after the effective date of this legislation.

This law requires the Public Utilities Commission to submit a report to the joint standing committee of the Legislature having jurisdiction over energy and utilities matters by January 7, 2015. In the report, the commission shall address various options for decreasing the cost of ensuring that there are adequate and affordable basic telephone service options throughout the State. The committee has authority to report out a bill related to the report.

LD 1532 An Act To Provide Model Language for Standard Sewer District Charters

PUBLIC 555

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	S-481

This bill was carried over from the First Regular Session of the 126th Legislature.

This bill creates a model standard sewer district charter in statute. It includes standard language for the common provisions included in a sewer district charter. It also includes the mandatory requirements of the Maine Revised Statutes, Title 38, chapter 12, except the requirement that a new sewer district be formed under the Sanitary District Enabling Act and that a proposed amendment to extend the boundaries of a sewer district be approved by referendum before the amendment is presented to the Legislature. This bill repeals Title 38, chapter 12. The bill also fixes cross-references.

Committee Amendment "A" (S-481)

This amendment adds assessments and supplemental charges to the definition of "rates" for the purposes of standard sewer district charters. The amendment clarifies that standard sewer district trustees must unless specified otherwise in the district's charter, hold elections by secret ballot. The amendment removes the requirement that a registrar must be appointed by the trustees and that the trustees must set the registrar's salary; instead, it requires trustees to acquire a list of eligible voters unless specified otherwise in the district's charter. It adds a recall provision to the standard sewer district charter. The amendment makes it clear that a standard district, through its trustees, may contract with entities inside and outside the standard district's boundaries. The amendment adds a reference to the disconnection authority of multipurpose districts that are part of consumer-owned water utilities.

Enacted Law Summary

Public Law 2013, chapter 555 creates a model standard sewer district charter in statute. It includes standard language for the common provisions included in a sewer district charter. It also includes the mandatory requirements of the Maine Revised Statutes, Title 38, chapter 12, except the requirement that a new sewer district be formed under the Sanitary District Enabling Act and that a proposed amendment to extend the boundaries of a sewer district be approved by referendum before the amendment is presented to the Legislature.

This law also repeals Title 38, chapter 12 and fixes cross-references.

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LD 1618 An Act To Enhance the Sustainability of the Corinna Water District

P & S 26

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FREDETTE	OTP-AM	H-736

This bill is a concept draft pursuant to Joint Rule 208.

This bill proposes to enhance the sustainability of the Corinna Water District by facilitating cooperation between water districts and protecting the interests of ratepayers in the event of a merger between water districts.

Committee Amendment "A" (H-736)

This amendment redefines the boundaries of the Corinna Water District and expands the geographical area in which a trustee of the district may reside from within the district boundaries to within the Town of Corinna.

Enacted Law Summary

Private and Special Law 2013, chapter 26 redefines the boundaries of the Corinna Water District and expands the geographical area in which a trustee of the district may reside from within the district boundaries to within the Town of Corinna.

LD 1619 An Act To Provide for a Quorum at the Public Utilities Commission

Veto Sustained

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RUSSELL	OTP-AM	H-645 S-461 CLEVELAND

This bill requires the Governor to appoint a replacement for a member of the Public Utilities Commission whose recusal from a proceeding due to a conflict of interest prevents the commission from having a quorum. The Governor must appoint a replacement by lottery from a list maintained by the Governor of five qualified persons approved by the joint standing committee of the Legislature having jurisdiction over public utilities matters.

The concepts in this bill were incorporated into LD 1860.

Committee Amendment "A" (H-645)

This amendment replaces the bill. This amendment authorizes the Governor to appoint, subject to confirmation by the Legislature, three individuals to be alternate commissioners of the Public Utilities Commission. An alternate commissioner is randomly selected to be appointed a temporary commissioner to a proceeding at the Public Utilities Commission if a quorum is not available due to conflict of interest, disability or other reason.

Senate Amendment "A" To Committee Amendment "A" (S-461)

This amendment specifies with more detail the compensation that will be provided to a temporary commissioner.

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LD 1620 An Act To Increase the Maximum Gas Safety Administrative Penalty Amounts

PUBLIC 495

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HOBBINS CLEVELAND	OTP-AM	H-637

This bill increases the maximum gas safety administrative penalty amounts to be consistent with federal law.

Committee Amendment "A" (H-637)

This amendment incorporates a fiscal note.

Enacted Law Summary

Public Law 2013, chapter 495 increases the maximum gas safety administrative penalty amounts to be consistent with federal law.

LD 1621 An Act To Include Natural Gas Expansion in the State Energy Plan

PUBLIC 541

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FREDETTE	OTP-AM	H-737

This bill creates the Newport Natural Gas District.

Committee Amendment "A" (H-737)

This amendment replaces the bill. The amendment adds natural gas expansion as an issue to be included in the state energy plan developed by the Governor's Energy Office.

Enacted Law Summary

Public Law 2013, chapter 541 adds natural gas expansion as an issue to be included in the state energy plan developed by the Governor's Energy Office.

LD 1628 An Act To Require a Timely Response by a Gas Company to a Municipal Request for Service Expansion

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GRATWICK THERIAULT	ONTP	

This bill requires a natural gas utility to respond within six months to a municipality's request for the natural gas utility to build a pipeline extension within that municipality if that municipality is within the natural gas utility's service territory. If the natural gas utility requires a financial contribution for the construction, the natural gas utility must provide justification to the municipality for the amount required.

The committee considered this bill with LD 1621. The committee voted this bill ought-not-to-pass and unanimously supported an amended version of LD 1621 which directs the Governor's Energy Office to include the expansion of natural gas as a component of the state energy plan. The committee also sent a letter to the Governor's Energy

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Office encouraging the participation of municipalities in the natural gas working group meetings that are convened by the Governor's Energy Office.

LD 1647 An Act To Make Changes to the So-called Dig Safe Law

PUBLIC 557

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CLEVELAND HOBBINS	OTP-AM	S-471

This bill makes liquefied propane gas distribution systems that are not included within the scope of 49 Code of Federal Regulations, Part 192 subject to the so-called Dig Safe Law, with the exception of distribution systems that provide service to single-family residences or businesses with fewer than five employees. The bill also changes the requirement that an excavator notify the Dig Safe system of the location of the intended excavation from not more than 30 calendar days prior to commencement of the excavation to not more than 60 days and clarifies that excavators must renew notification to the owners or operators of underground facilities for each successive 60-day period during which they will be excavating.

The bill also modifies the provision that allows excavators to commence excavation on underground facilities located on private property that are owned and operated by the owner of that property before those facilities are marked or the passing of three business days from the date of notification, whichever occurs earlier so that it only applies when the underground facilities provide service to a single-family residence.

Committee Amendment "A" (S-471)

This amendment strikes section 1 of the bill, which expanded the types of underground facility operators who are required to be members of the underground damage prevention system. This amendment also strikes section 2 of the bill, which increased the number of days within which an excavator is required to provide notice to the system from 30 days before the excavation to 60 days before the excavation.

This amendment adds a provision that requires the Public Utilities Commission to review its rules regarding underground facility damage prevention and excavator and underground facility operator practices to identify ways to decrease the number of notices that do not result in a marking that are issued by the damage prevention system. The commission may submit a report with recommended changes to the law to the joint standing committee of the Legislature having jurisdiction over utility matters. The committee may report out a bill to the First Regular Session of the 127th Legislature.

Enacted Law Summary

Public Law 2013, chapter 557 requires that excavators renew notification to the owners or operators of underground facilities for each successive 60-day period during which they will be excavating. The law also modifies the provision that allows excavators to commence excavation on underground facilities located on private property that are owned and operated by the owner of that property before those facilities are marked or the passing of three business days from the date of notification, whichever occurs earlier so that it only applies when the underground facilities provide service to a single-family residence.

The law requires the Public Utilities Commission to review its rules regarding underground facility damage prevention and excavator and underground facility operator practices to identify ways to decrease the number of notices that do not result in a marking that are issued by the damage prevention system. The commission may submit a report with recommended changes to the law to the joint standing committee of the Legislature having jurisdiction over utility matters. The committee may report out a bill to the First Regular Session of the 127th Legislature.

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LD 1652 An Act To Support Solar Energy Development in Maine

PUBLIC 562

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
VITELLI GIDEON	OTP-AM	S-473

This bill was carried over from the 126th First Regular Session of the Legislature.

This bill creates the Maine Solar Energy Act, which:

1. States specific legislative findings that it is in the public interest to encourage development of solar energy production in the State. This includes finding that solar energy development makes a significant contribution to the general welfare of the citizens of the State and the reduction of greenhouse gas emissions;
2. Requires the Public Utilities Commission to take specific measures regarding solar energy, including monitoring development and market trends and determining the value of distributed solar energy generation;
3. Requires the State, including the Small Enterprise Growth Program, the Maine Technology Institute, the Maine Rural Development Authority, the Finance Authority of Maine and the Department of Economic and Community Development, to seek opportunities to promote solar energy development, generation and manufacturing within existing programs; and
4. Establishes state solar energy generation goals.

Committee Amendment "A" (S-473)

This amendment modifies the legislative findings and goals of the bill. This amendment adds more specificity to the required components of the study conducted by the Public Utilities Commission regarding the value of distributed solar energy generation and adds a summary of solar implementation options as part of the study. This amendment moves the study report date from January 15, 2015 to February 15, 2015.

Enacted Law Summary

Public Law 2013, chapter 562 creates the Maine Solar Energy Act, which:

1. States specific legislative findings relating to solar energy;
2. Requires the Public Utilities Commission to take specific measures regarding solar energy, including monitoring development and market trends and determining the value of distributed solar energy generation;
3. Requires the State, including the Small Enterprise Growth Program, the Maine Technology Institute, the Maine Rural Development Authority, the Finance Authority of Maine and the Department of Economic and Community Development, to seek opportunities to promote solar energy development, generation and manufacturing within existing programs; and
4. Establishes state solar energy generation goals.

The law further directs the Public Utilities Commission to conduct a study to determine the value of distributed solar energy generation in the State.

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LD 1693 An Act To Amend the Anson and Madison Water District Charter

P & S 21

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUNPHY WHITTEMORE	OTP-AM	H-689

This bill allows the trustees of the Anson and Madison Water District the option of requesting that municipal officers of the town in which a vacancy of an unexpired term on the board of trustees occurs appoint a trustee to fill the vacancy, rather than holding a special election.

Committee Amendment "A" (H-689)

This amendment replaces the bill and allows the trustees of the Anson and Madison Water District, in the event of a vacancy on the board of trustees, to appoint a person who is recommended by the trustees of the district from the town in which the vacancy occurs to fill the vacancy until the next annual meeting of that town. As with the bill, the amendment also provides the trustees the option of calling a special election to fill a vacancy on the board.

Enacted Law Summary

Private and Special Law 2013, chapter 21 allows the trustees of the Anson and Madison Water District, in the event of a vacancy on the board of trustees, to appoint a person who is recommended by the trustees of the district from the town in which the vacancy occurs to fill the vacancy until the next annual meeting of that town. The law also provides the trustees the option of calling a special election to fill a vacancy on the board.

LD 1714 Resolve, To Study the Feasibility of Allowing Dispatchers To Transfer E-9-1-1 Calls to Emergency Responders in Other States

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FLOOD EVES	ONTP	

This resolve directs the Department of Public Safety, with the assistance of the Public Utilities Commission, to convene a task force to study the feasibility of allowing E-9-1-1 dispatchers in the State to transfer emergency calls to emergency dispatchers in other states. The department is required to report the task force's recommendations and any necessary implementing legislation to the joint standing committee of the Legislature having jurisdiction over public safety matters by December 3, 2014.

LD 1750 An Act To Establish Submission Requirements for Wind Energy through Rulemaking

Veto Sustained

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ALFOND	OTP-AM ONTP	S-483 S-550 HILL

This bill amends the Maine Administrative Procedure Act by amending the definition of "rule" and requiring that every agency decision be based on the best evidence available to the agency. The bill also amends the laws governing expedited wind energy developments to provide that in determining the tangible benefits of an expedited wind energy development, the primary siting authority may not require the submission of evidence of the energy and emissions-related benefits or make specific findings related to energy and emissions-related benefits. Those benefits are presumed. The bill also provides that in determining whether a proposed expedited wind energy

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development will have an unreasonable adverse effect on scenic character or existing uses and whether an applicant must provide a visual impact assessment, the primary siting authority is required to consider the energy and emissions-related benefits of the expedited wind energy development, the policy objectives of the Maine Wind Energy Act and the energy, environmental and economic benefits associated with the expedited wind energy development.

Committee Amendment "A" (S-483)

This amendment is the majority report of the committee. It requires the Department of Environmental Protection to conduct routine technical rulemaking to establish the submission requirements for permit applications for wind energy developments. It directs the department to use the submission requirements that were established in accordance with Public Law 2007, chapter 661, Part B, section 13 until the rulemaking is completed. This amendment also adds an appropriations and allocations section.

Senate Amendment "A" To Committee Amendment "A" (S-550)

This amendment removes the appropriations and allocations section.

LD 1752 An Act To Preserve Certain Rights Granted to Maine Public Service Company before Its Merger with Bangor Hydro Electric Company P & S 25

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JACKSON T GIDEON	OTP-AM	S-429

This bill provides that any rights previously granted by private and special law to Maine Public Service Company or its predecessors are not lost as a result of the merger of the company and Bangor Hydro Electric Company if those rights were in existence at the time of the merger.

Committee Amendment "A" (S-429)

This amendment strikes and replaces the bill. This amendment provides that any rights previously granted by private and special law to Maine Public Service Company and any duties imposed by private and special law upon Maine Public Service Company are transferred to and assumed by Bangor Hydro Electric Company in the same manner and to the same extent as those rights and duties applied to Maine Public Service Company.

Enacted Law Summary

Private and Special Law 2013, chapter 25 provides that any rights previously granted by private and special law to Maine Public Service Company and any duties imposed by private and special law upon Maine Public Service Company are transferred to and assumed by Bangor Hydro Electric Company in the same manner and to the same extent as those rights and duties applied to Maine Public Service Company.

LD 1761 An Act To Ensure That Large Public Utility Reorganizations Advance the Economic Development and Information Access Goals of the State Veto Sustained

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HOBBINS JACKSON T	OTP-AM ONTP OTP-AM	H-772

This bill requires the Public Utilities Commission to approve a sale, merger, consolidation or reorganization involving a public utility with gross annual state revenues greater than \$50,000,000 only when it is satisfied that the proposal will advance the economic development and information access goals of the State, result in economic

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benefits to ratepayers and be consistent with the interests of investors and public utility employees. The bill also allows the commission to charge a filing fee of up to \$100,000 to an applicant for reorganization when the applicant is a public utility that has gross annual state revenues greater than \$50,000,000. In the case of a public utility with gross annual state revenues totaling \$50,000,000 or less, the standard under this bill is the same standard as is currently applicable.

Committee Amendment "A" (H-772)

This amendment is the majority report of the committee. The amendment replaces the bill. The amendment requires the Public Utilities Commission to consider additional requirements before approving a reorganization involving a telephone utility with gross annual state revenues greater than \$50,000,000. The commission may approve the reorganization only when it is satisfied that the proposal will advance the economic development and information access goals of the State; that the reorganization does not result in changes to the location and the accessibility of the telephone utility's management and to employment levels in a manner that would adversely affect safety, reliability or quality of service; and that the reorganization provides an affirmative benefit to the public. The amendment also removes the requirement that the Public Utilities Commission rule upon a request for the reorganization of a large telephone utility within 180 days.

Committee Amendment "B" (H-773)

This amendment is the minority report of the committee. The amendment strikes and replaces the bill. The amendment requires the Public Utilities Commission to consider additional requirements before approving a reorganization involving a public utility with gross annual state revenues greater than \$50,000,000. The commission may approve the reorganization only when it is satisfied that the proposal will advance the economic development and information access goals of the State for a reorganization that involves a telephone utility; that the reorganization does not result in changes to the location and the accessibility of the public utility's management and to employment levels in a manner that would adversely affect safety, reliability or quality of service; and that the reorganization provides an affirmative benefit to the public. The amendment also removes the requirement that the Public Utilities Commission rule upon a request for the reorganization of a large public utility within 180 days.

LD 1781 An Act To Amend Tidal Energy Demonstration Project Laws

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
YOUNGBLOOD HOBBINS	ONTP	

This bill expands the definition of "tidal energy demonstration project" under the laws governing general permits for tidal energy demonstration projects to cover so-called tidal range projects. The bill further directs the Public Utilities Commission to conduct an additional competitive solicitation of proposals for tidal energy demonstration projects and increases the allowed capacity derived from tidal energy demonstration projects to 30 megawatts and total allowed capacity contracted for by the commission to 45 megawatts.

LD 1784 An Act To Reform Regulation of Consumer-owned Water Utilities

PUBLIC 573

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	S-484 H-817 HOBBINS

This bill is reported out by the Joint Standing Committee on Energy, Utilities and Technology pursuant to Resolve 2013, chapter 47, section 1. As required by the resolve, the Public Utilities Commission submitted to the committee its plan to reform the regulation of consumer-owned water utilities on January 30, 2014, including the necessary

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changes to law to implement its plan.

Committee Amendment "A" (S-484)

This amendment replaces the bill. This amendment requires the Public Utilities Commission to adopt rules to establish standards and procedures to exempt consumer-owned water utilities from portions of the Maine Revised Statutes, Title 35-A. This amendment:

1. Outlines specific requirements related to standards for granting an exemption;
2. Specifies ways a request for exemption may be initiated;
3. Lists specific provisions of Title 35-A from which a consumer-owned water utility may not be exempted;
4. Directs the commission to ensure that customers of consumer-owned water utilities still have access to the services provided by the consumer assistance division within the commission; and
5. Directs the commission to establish by rule a process by which customers of a consumer-owned water utility can request that an exemption be rescinded.

This amendment requires that rate schedules issued by a consumer-owned water utility be submitted to the commission.

House Amendment "A" To Committee Amendment "A" (H-817)

This amendment amends Committee Amendment "A." The amendment authorizes the Public Utilities Commission to rescind an exemption on its own motion.

Enacted Law Summary

Public Law 2013, chapter 573 requires the Public Utilities Commission to adopt rules to establish standards and procedures to exempt consumer-owned water utilities from portions of the Maine Revised Statutes, Title 35-A. This law:

1. Outlines specific requirements related to standards for granting an exemption;
2. Specifies ways a request for exemption may be initiated;
3. Lists specific provisions of Title 35-A from which a consumer-owned water utility may not be exempted;
4. Directs the commission to ensure that customers of consumer-owned water utilities still have access to the services provided by the consumer assistance division within the commission;
5. Directs the commission to establish by rule a process by which customers of a consumer-owned water utility can request that an exemption be rescinded;
6. Requires that rate schedules issued by a consumer-owned water utility be submitted to the commission; and
7. Authorizes the Public Utilities Commission to rescind an exemption on its own motion.

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LD 1791 An Act To Expand Benefits from Maine's Wind Resource

**Accepted Majority
(ONTP) Report**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HARVELL PATRICK	ONTP OTP-AM	

This bill changes the goals for wind energy development in the Maine Wind Energy Act from a schedule of increasing levels of installed capacity to a statement that the goals are expanded economic opportunities in the State, including increasing the number of jobs in the manufacturing, construction and development of wind energy projects, and lower electricity prices for the State's residential, commercial and industrial consumers.

Committee Amendment "A" (H-726)

This amendment is the minority report of the committee. This amendment strikes the section of the bill that repeals the megawatt goals for wind energy development. It also slightly modifies the wording of the bill relating to wind energy goals to provide that the State must aspire to advance those goals.

LD 1792 An Act To Protect Jobs in the Forest Product Industry

**P & S 27
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
STANLEY THOMAS	OTP-AM	H-758

Current law restricts the ability of Great Northern Paper, LLC, to receive revenue from the sale of electricity from Brookfield Renewable Energy Partners when there is a cessation or reduction of paper production. In order to allow the Millinocket or East Millinocket paper production facility to benefit from the electricity revenue during the closure period and help the facility sustain its operations and remain viable during the closure, this bill amends the law to require Brookfield Renewable Energy Partners to transfer to Great Northern Paper, LLC, certain windfall revenue received from sales of electricity available due to the cessation or reduction of paper production and sold to other purchasers or into the wholesale electric market as long as there is no reduction in labor force associated with the cessation or reduction of paper production, commencing after the restart of the East Millinocket paper production facility.

Committee Amendment "A" (H-758)

Current law restricts the ability of Great Northern Paper, LLC, to receive revenue from the sale of electricity from Brookfield Renewable Energy Partners when there is a long-term cessation of paper production for a period of at least 90 days. This amendment, which replaces the bill, clarifies that the current law does not prohibit short-term load-shedding agreements and expressly authorizes such agreements for the purpose of promoting the continued viability of the paper production facilities and preserving the work force employed at those facilities and thereby promoting the public welfare. It also allows a one-time, limited exemption from certain provisions of current law, including the prohibition on agreements relating to longer-term paper mill closings, for the current cessation of paper production at the East Millinocket paper production facility that began on January 23, 2014, as long as certain conditions are met, including a reopening of the facility no later than June 30, 2014 with the number of employees agreed upon by the unions representing the employees and the owner of the paper production facility.

Enacted Law Summary

Private and Special Law 2013, chapter 27 clarifies that the current law does not prohibit short-term load-shedding agreements and expressly authorizes such agreements for the purpose of promoting the continued viability of the

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paper production facilities and preserving the work force employed at those facilities and thereby promoting the public welfare. It also allows a one-time, limited exemption from certain provisions of current law, including the prohibition on agreements relating to longer-term paper mill closings, for the current cessation of paper production at the East Millinocket paper production facility that began on January 23, 2014, as long as certain conditions are met, including a reopening of the facility no later than June 30, 2014 with the number of employees agreed upon by the unions representing the employees and the owner of the paper production facility.

Private and Special Law 2013, chapter 27 was enacted as an emergency measure effective April 7, 2014.

LD 1816 An Act To Address Recommendations from the Report by the Office of Program Evaluation and Government Accountability Regarding the Public Utilities Commission Veto Sustained

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	H-784

This bill creates a temporary consumer advisor position in the Office of the Public Advocate to advise citizens participating in proceedings before the Public Utilities Commission. The position is established to address a recommendation in the Office of Program Evaluation and Government Accountability's 2013 report on the Public Utilities Commission that the Public Utilities Commission and the Public Advocate explore ways to facilitate consumers' ability to effectively represent themselves in adjudicatory proceedings before the Public Utilities Commission. This bill also requires the Public Advocate to report to the joint standing committee of the Legislature having jurisdiction over energy and utilities matters on the performance, duties and funding of the consumer advisor.

Committee Amendment "A" (H-784)

This amendment adds an emergency preamble and emergency clause to the bill. It also adds an appropriations and allocations section.

LD 1825 An Act To Assist Electric Utility Ratepayers PUBLIC 556

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CLEVELAND	OTP-AM	S-482

This bill requires transmission and distribution utilities to implement arrearage management programs to assist eligible low-income residential customers who are in arrears on their electricity bills. It requires the Public Utilities Commission to develop the program through rulemaking. The program must include measures to help participants reduce their energy consumption, including a free electricity usage assessment and the requirement that transmission and distribution utilities work with the Efficiency Maine Trust to provide complementary energy efficiency programs for program participants. It also requires that a transmission and distribution utility recover in rates all costs of the program except those arrearages that are forgiven and written off as bad debt.

Committee Amendment "A" (S-482)

This amendment adds to the bill the requirement that the arrearage management programs begin no later than October 15, 2015 and that the terms and conditions of the programs be in the best interest of ratepayers. The amendment adds payment patterns to the topics for the Public Utilities Commission to include in its report on the arrearage management programs and allows the joint standing committee of the Legislature having jurisdiction over utilities matters to report out a bill relating to the report. The amendment makes other minor technical changes.

Joint Standing Committee on Energy, Utilities and Technology

Enacted Law Summary

Public Law 2013, chapter 556 requires transmission and distribution utilities to implement arrearage management programs to assist eligible low-income residential customers who are in arrears on their electricity bills. The Public Utilities Commission must develop the program through rulemaking. The program must include measures to help participants reduce their energy consumption, including a free electricity usage assessment. The Efficiency Maine Trust must provide access to complementary energy efficiency programs for program participants. The bill requires that a transmission and distribution utility recover in rates all costs of the program except those arrearages that are forgiven and written off as bad debt. The Public Utilities Commission shall submit a report to the joint standing committee of the Legislature having jurisdiction over utilities matters by January 28, 2018 regarding the effectiveness of the program. That committee may report out legislation related to the report.

The law is repealed September 30, 2018.

LD 1860 An Act To Provide for Temporary Commissioners at the Public Utilities Commission

**PUBLIC 554
EMERGENCY**

Sponsor(s)

RUSSELL

Committee Report

Amendments Adopted

This bill authorizes the Governor to appoint, subject to confirmation by the Legislature, three individuals to be alternate commissioners of the Public Utilities Commission on a case-by-case basis whenever two or more commissioners, due to a conflict of interest, disability or other reason, are unable to serve in a proceeding, which results in the commission being unable to maintain a quorum.

Enacted Law Summary

Public Law 2013, chapter 554 authorizes the Governor to appoint, subject to confirmation by the Legislature, three individuals to be alternate commissioners of the Public Utilities Commission on a case-by-case basis whenever two or more commissioners, due to a conflict of interest, disability or other reason, are unable to serve in a proceeding, which results in the commission being unable to maintain a quorum.

Public Law 2013, chapter 554 was enacted as an emergency measure effective April 17, 2014.

Joint Standing Committee on Energy, Utilities and Technology

SUBJECT INDEX

Agency Matters -- PUC/OPA/OEIS

Enacted

LD 1860 An Act To Provide for Temporary Commissioners at the Public Utilities Commission PUBLIC 554
EMERGENCY

Not Enacted

LD 1816 An Act To Address Recommendations from the Report by the Office of Program Evaluation and Government Accountability Regarding the Public Utilities Commission Veto Sustained

Dig Safe

Enacted

LD 1647 An Act To Make Changes to the So-called Dig Safe Law PUBLIC 557

Not Enacted

LD 965 An Act To Improve Maine's Underground Facility Damage Prevention Program ONTP

E911

Not Enacted

LD 196 An Act Regarding the Implementation of the Quality Assurance Program for Public Safety Answering Points ONTP
LD 275 Resolve, To Require the Emergency Services Communication Bureau To Expand the Existing Quality Assurance System ONTP
LD 1714 Resolve, To Study the Feasibility of Allowing Dispatchers To Transfer E-9-1-1 Calls to Emergency Responders in Other States ONTP

Electricity

Enacted

LD 1278 An Act To Ensure Equitable Support for Long-term Energy Contracts PUBLIC 454
LD 1752 An Act To Preserve Certain Rights Granted to Maine Public Service Company before Its Merger with Bangor Hydro Electric Company P & S 25
LD 1792 An Act To Protect Jobs in the Forest Product Industry P & S 27
EMERGENCY
LD 1825 An Act To Assist Electric Utility Ratepayers PUBLIC 556

Not Enacted

LD 796 Resolve, To Enhance Economic Development by Encouraging Businesses Adjacent to Electric Power Generators To Obtain Power Directly ONTP
LD 826 An Act To Eliminate the Opt-out Charges for Smart Meters ONTP
LD 950 An Act To Establish the Electromagnetic Field Safety Act ONTP
LD 1060 An Act To Lower Electrical Costs through Transmission Alternatives and Renewable Sources Veto Sustained

Miscellaneous - Utilities and Energy

Not Enacted

LD 1761 An Act To Ensure That Large Public Utility Reorganizations Advance the Economic Development and Information Access Goals of the State Veto Sustained

Natural Gas

Enacted

LD 1620 An Act To Increase the Maximum Gas Safety Administrative Penalty Amounts PUBLIC 495

LD 1621 An Act To Include Natural Gas Expansion in the State Energy Plan PUBLIC 541

Not Enacted

LD 1628 An Act To Require a Timely Response by a Gas Company to a Municipal Request for Service Expansion ONTP

Public Utilities Commission

Not Enacted

LD 1619 An Act To Provide for a Quorum at the Public Utilities Commission Veto Sustained

Renewable Resources

Not Enacted

LD 646 An Act To Remove the 100-megawatt Limit on Renewable Sources of Energy Majority (ONTP) Report

LD 1085 An Act To Establish the Renewable Energy Feed-in Tariff Majority (ONTP) Report

LD 1781 An Act To Amend Tidal Energy Demonstration Project Laws ONTP

Solar Energy

Enacted

LD 1652 An Act To Support Solar Energy Development in Maine PUBLIC 562

Not Enacted

LD 1252 An Act To Improve Maine's Economy and Energy Security with Cost-effective Technologies Veto Sustained

Telecommunications

Enacted

LD 1479 An Act To Clarify Telecommunications Regulation Reform PUBLIC 600

Not Enacted

LD 38 Resolve, Regarding Legislative Review of Chapter 201: Provider of Last Resort Service Quality, a Major Substantive Rule of the Public Utilities Commission Veto Sustained

LD 1013 An Act To Create the Wireless Information Act Died On Adjournment

Water/Sewer - Charters

Enacted

LD 1618 An Act To Enhance the Sustainability of the Corinna Water District P & S 26

LD 1693 An Act To Amend the Anson and Madison Water District Charter P & S 21

Not Enacted

LD 1396 An Act To Create the Lisbon Water District ONTP

Water/Sewer - General

Enacted

LD 1532 An Act To Provide Model Language for Standard Sewer District Charters PUBLIC 555

LD 1784 An Act To Reform Regulation of Consumer-owned Water Utilities PUBLIC 573

Not Enacted

LD 1004 An Act To Clarify Voting Procedures for Standard Water Districts

ONTP

Wind Energy

Not Enacted

LD 616 An Act To Amend the Expedited Permitting Area for Wind Energy Development under the Jurisdiction of the Maine Land Use Planning Commission

Died Between Houses

LD 1147 An Act To Protect Maine's Scenic Character

Majority (ONTP) Report

LD 1323 An Act Regarding Wind Power Siting in the Unorganized Territory

Died Between Houses

LD 1434 An Act To Clarify the Laws Governing Noise from Wind Turbines

ONTP

LD 1750 An Act To Establish Submission Requirements for Wind Energy through Rulemaking

Veto Sustained

LD 1791 An Act To Expand Benefits from Maine's Wind Resource

Majority (ONTP) Report

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