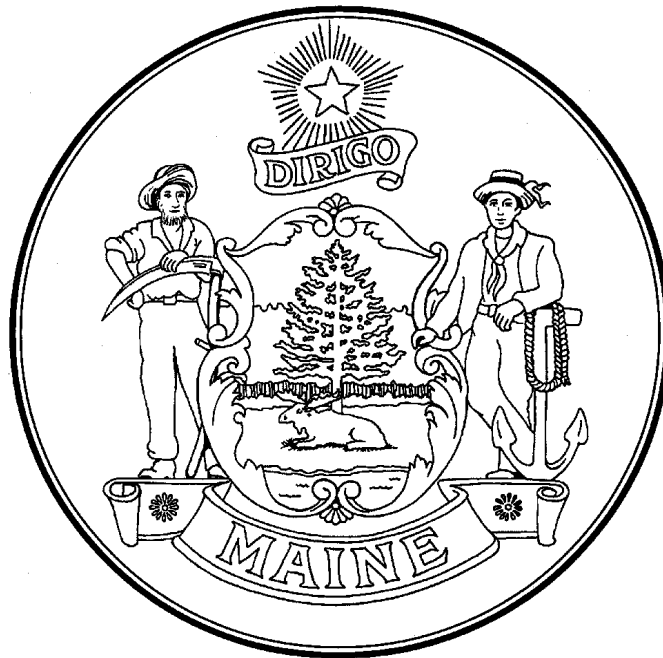


# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals  
(may include minor formatting differences from printed original)

**Journal and Legislative Record**  
**House of Representatives**  
**One Hundred and Twenty-Ninth Legislature**  
**State of Maine**

**Daily Edition**

**First Regular Session**  
beginning December 5, 2018

pages 1 -

youth people who cannot go home. The need for a continuum of care and effective placement options for these youth has never been greater. We all understand that if the only option for placement in Maine is Long Creek, which is designed for very specific circumstances, we are not doing justice for our children.

Please make a note that my colleagues, who understand I only have control at the beginning of this speech, never moved. Just make that note.

So, let's be clear about this. This isn't a criticism of Long Creek, but Long Creek is not designed to address every child in the juvenile justice system. Just as there are huge benefits from providing services to new parents and their infants and babies, the benefits of providing improved resources for our youth who are struggling right now cannot be overstated. The ripple effect could be an extraordinary force multiplier. These children are the future. Let's help them find healthy and engaged lives. So -- thank you.

In conclusion, and it is the last page -- in conclusion, I have the usual additional requests. First, come visit a courthouse near you. Julie Finn will be happy to arrange for you to see any of the public proceedings that interest you. Second, consider connecting your local high school to have the Supreme Judicial Court bring appellate arguments to the school in the fall of 2020. This year, with the help of Representative Mastraccio, we will be at the brand-new Sanford High School this spring. In the fall, at the request of Senator Carpenter, we'll be at Houlton High School, then in Old Town as arranged by Senator Dill, and then in Gorham with the connections made by Senator Linda Sanborn.

Finally, I take this point of privilege once again to urge women over 40 to get their 3-D mammograms. I am healthy and I am here because I had a 3-D mammogram. It caught the cancer early. Get it done. It's not fun, but get it done. Thank you. Thank you, thank you.

The purpose for which this Convention was assembled having been accomplished, the Chair declared the same dissolved.

(After the Joint Convention)

The House was called to order by the Speaker.

**REPORTS OF COMMITTEE  
Divided Reports**

Majority Report of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** reporting **Ought to Pass** on Bill "An Act To Eliminate Gross Metering" (EMERGENCY) (H.P. 77) (L.D. 91)

Signed:

Senators:

LAWRENCE of York  
MIRAMANT of Knox  
WOODSOME of York

Representatives:

BERRY of Bowdoinham  
CAIAZZO of Scarborough  
DOUDERA of Camden  
GROHOSKI of Ellsworth  
KESSLER of South Portland  
RILEY of Jay

RYKERSON of Kittery

Minority Report of the same Committee reporting **Ought Not to Pass** on same Bill.

Signed:

Representatives:

FOSTER of Dexter  
GRIGNON of Athens  
HANLEY of Pittston

**READ.**

Representative BERRY of Bowdoinham moved that the House **ACCEPT** the Majority **Ought to Pass** Report.

The SPEAKER: The Chair recognizes the Representative from Bowdoinham, Representative Berry.

Representative **BERRY**: Thank you, Madam Speaker. Madam Speaker, the bill before us is an opportunity to move forward an important part of our economy, to save money for ratepayers, and to do right by our environment, and to do so my eliminating gross metering.

Gross metering, while it may have been well-intended, has proven ineffective and costly for the ratepayers of Maine. Gross metering is a rule created by the Maine Public Utilities Commission a few years ago and which took effect roughly one year ago, last spring. Gross metering requires the installation of an additional meter, a second meter in Emera territory, a third meter in CMP territory, which is paid for by all customers, all ratepayers of the utility. And through that additional meter, Madam Speaker, the effect of gross metering is to assess a fee on generation and use even when it takes place behind the meter, never touching the grid. This is unheard of, Madam Speaker. There is nowhere else in the world where such a policy has been tried, never mind has succeeded. And the policy in effect is somewhat like growing your own tomatoes in your background and having the grocery store, the local Hannaford or Shaws, charging you for that tomato because you did not purchase it from them.

Now, there are great debates swirling about the value of rooftop solar and other distributed renewables, but even if we set aside our position on whether solar helps your neighbor or costs your neighbor money, gross metering makes no sense. Gross metering to date because of the additional meters has cost all ratepayers an additional \$2.5 million and by the projection of the utilities themselves, Madam Speaker, it will someday, ten or so years from now, potentially save \$3 million, so it may be a wash ten years from now, but only if it makes sense to go forward and only if we add additional costs for additional meters during the interim. So, maybe worse than a wash, maybe it costs money. And so it's not surprising, Madam Speaker, that the Public Utilities Commission, seeing these unanticipated costs to all ratepayers, chose to eliminate gross metering themselves, their own rule, to eliminate it for large businesses and for medium-sized businesses.

Madam Speaker, the elimination of gross metering is proposed not only in the bill before us but also in other bills that appear before the Energy, Utilities, and Technology Committee and the bipartisan majority on the bill before us in the Majority Ought to Pass Report has voted for something that's consistent with all of those bills. And I think, for example, of one put forward by the Representative from Berwick, which I very much appreciated, and I want to say that whatever we do on this particular bill, we also will have the opportunity to work on additional measures that may allow the replacement for net metering, which this bill restores, in the future.

So, let's do what we agreed on. Let's do what has been proposed in multiple bills, which is to eliminate gross metering. Let's do what will help move forward the solar energy economy, put our neighbors to work this summer installing solar -- rooftop solar. Let's do what will save all ratepayers money by avoiding these unanticipated costs. Let's eliminate gross metering for all ratepayers, not just large and medium businesses as has been done so far.

Madam Speaker, this bill is an emergency measure because it needs to take place immediately in order to stop spending money unnecessarily and I hope that we can go forward together at this time. And, Madam Speaker, when the vote is taken, I request that it be by the yeas and nays.

The same Representative **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **Ought to Pass** Report..

More than one-fifth of the members present expressed a desire for a roll call which was ordered.

The **SPEAKER**: The Chair recognizes the Representative from Pittston, Representative Hanley.

Representative **HANLEY**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House, I rise in opposition to the pending motion not because I'm opposed to solar, I'm agnostic about it, actually, but the problem with this bill is that -- I guess let me start with the positive side of this bill, is it eliminates gross metering and I'm all for that. But it didn't go far enough and as the good Representative from Bowdoinham mentioned, there is another option ahead of us in another piece of legislation that will come and I hope that we will seriously entertain that option.

And it's not what is in this bill that is the problem, it's what's left out of it, and what is left out of it is the standing policy of above-market rates that non-solar people, ratepayers, have to pay to support the solar policies that are in place. In other words, when you produce solar power on your roof, you get paid at an above-market rate, it's extremely high compared to how it can be purchased on the open market and that cost gets passed on to all the other ratepayers and I don't think we should overlook this.

And the cost of solar will be about \$3 million -- in fact, that's the cost now, and that could rise as more systems come on. And because the overall question about these issues is that solar is not a bad thing, it's just the policies we enact put burdens on people that never will have a solar panel. The other item that got left out of this bill was the Public Utilities Commission warned us that the large solar arrays you see that are on the grid, they don't use solar power, they simply produce it. So they don't pay any fees related to transmission. And the PUC warned us that that will again drive up the cost to all non-solar ratepayers. And, of course, I always go back to my statements earlier, you know, this is like Groundhog's Day sometimes, with these solar bills, but I represent eight trailer parks in my district. When I drive through them, none of them have solar panels because they can't afford them. Whenever I drive by a solar array anywhere, I'm looking at people that are wealthy or well off. This solar policy encourages and promotes this process with people that have disposable income. And I hate to bring it around to the process of rich versus poor, but it's the .1% versus the 99.9% and it has to do with the amount of money you're going to pay in the long-term for your electric rates. And it's a policy that I hope in the legislation that will be coming before us later that we will seriously look at because that legislation does what this one does, it gets rid of gross metering, but it fixes all of the other components. So, I ask you to follow my light and defeat this measure and wait for the

correct and compromising measure that comes ahead of us. Thank you.

The **SPEAKER**: A roll call has been ordered. The pending question before the House is Acceptance of the Majority Ought to Pass Report. All those in favor will vote yes, those opposed will vote no.

**ROLL CALL NO. 3**

**YEA** - Ackley, Alley, AustinB, Babbidge, Babine, Bailey, Beebe-Center, Berry, Blume, Brennan, Brooks, Bryant, Caiazzo, Cardone, Carney, Cebra, Cloutier, Collings, Cooper, Corey, Craven, Crockett, Cuddy, Daughtry, Denk, Denno, Dodge, Doore, Doudera, Dunphy, Evangelos, Farnsworth, Fay, FecteauR, Foley, Gattine, Gramlich, Grohoski, Handy, Harnett, Hepler, Hickman, Higgins, Hobbs, Hubbell, Hymanson, Jorgensen, Kessler, Kinney, Kornfield, Landry, MadiganC, Marean, MartinJ, Mastraccio, Matlack, Maxmin, McCreight, McDonald, McLean, Melaragno, Meyer, Moonen, Morales, Nadeau, O'Neil, Pebworth, Peoples, Perry, PierceT, Pluecker, Reckitt, Riley, Riseman, Roberts-Lovell, Rykerson, Schneck, Sharpe, Sheats, Stanley, Stover, Sylvester, Talbot Ross, Tepler, Terry, Tipping, Tucker, Tuell, Verow, Warren, WhiteB, Zeigler, Madam Speaker.

**NAY** - Arata, AustinS, Bickford, Bradstreet, Campbell, Costain, Curtis, DeVeau, Dillingham, Dolloff, Drinkwater, Faulkingham, FecteauJ, Foster, Griffin, Grignon, Hall, Hanington, Hanley, Harrington, Head, Hutchins, Javner, Johansen, Keschl, Kryzak, Lockman, Lyford, Mason, Millett, Morris, O'Connor, Ordway, Perkins, Pickett, Prescott, Reed, Rudnicki, Sampson, Skolfield, Stearns, Stetkis, Stewart, Strom, Swallow, Theriault, Wadsworth, WhiteD.

**ABSENT** - Andrews, Blier, Haggan, Ingwersen, MartinR, MartinT, McCrea.

Yes, 93; No, 48; Absent, 7; Excused, 1.

93 having voted in the affirmative and 48 voted in the negative, with 7 being absent and 1 excused, and accordingly the Majority **Ought to Pass** Report was **ACCEPTED**.

The Bill was **READ ONCE** and was assigned for **SECOND READING** Thursday, February 28, 2019.

Majority Report of the Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought Not to Pass** on Bill "An Act Regarding the Acceptance of Maine Clean Election Act Campaign Contributions on State Websites"

(H.P. 12) (L.D. 11)

Signed:

Senators:

LUCHINI of Hancock  
CYRWAY of Kennebec  
HERBIG of Waldo

Representatives:

SCHNECK of Bangor  
ACKLEY of Monmouth  
COOPER of Yarmouth  
DOLLOFF of Rumford  
HICKMAN of Winthrop  
HUBBELL of Bar Harbor  
McCREIGHT of Harpswell

Minority Report of the same Committee reporting **Ought to Pass** on same Bill.

Signed:

Representatives:

ANDREWS of Paris  
HANINGTON of Lincoln