

SENATE

MARK W. LAWRENCE, DISTRICT 35, CHAIR
ELOISE A. VITELLI, DISTRICT 23
TREY STEWART, DISTRICT 2

DEIRDRE SCHNEIDER, LEGISLATIVE ANALYST
DANIEL TARTAKOFF, LEGISLATIVE ANALYST
JORDAN MERRIFIELD, COMMITTEE CLERK



HOUSE

SETH A. BERRY, BOWDOINHAM, CHAIR
SCOTT W. CUDDY, WINTERPORT
NICOLE GROHOSKI, ELLSWORTH
CHRISTOPHER J. KESSLER, SOUTH PORTLAND
STANLEY PAIGE ZEIGLER, JR., MONTVILLE
BARBARA A. WOOD, PORTLAND
NATHAN J. WADSWORTH, HIRAM
CHAD WAYNE GRIGNON, ATHENS
STEVEN D. FOSTER, DEXTER
NATHAN MICHAEL CARLOW, BUXTON

STATE OF MAINE
ONE HUNDRED AND THIRTIETH LEGISLATURE
COMMITTEE ON ENERGY, UTILITIES AND TECHNOLOGY

MEMORANDUM

TO: Senator Cathy Breen, Senate Chair
Representative Teresa Pierce, House Chair
Joint Standing Committee on Appropriations and Financial Affairs

FROM: Senator Mark Lawrence, Senate Chair *ML*
Representative Seth Berry, House Chair *SB (FOX)*
Joint Standing Committee on Energy, Utilities and Technology

DATE: May 25, 2021

SUBJ: Recommendations on Governor's change package to LD 221

On May 25, 2021, the Joint Standing Committee on Energy, Utilities and Technology reviewed a number of proposed budget items in the Governor's change package to LD 221. The committee's recommendations on those items are described below.

Governor's Energy Office

With respect to the initiatives described on page 61 of the Part A initiatives (Governor's Energy Office), 4 members voted to recommend acceptance of these initiatives and 4 members voted to reject these initiatives. Five members were absent at the time of the vote (Carlow, Foster, Grignon, Stewart and Zeigler).

Of those 4 members voting to reject these initiatives, one (Wadsworth) specified that it was due to the General Fund allocations and three members (Berry, Grohoski and Kessler) specified that they wanted more information from the Governor's Energy Office and may provide the AFA Committee with additional input at a later date.

Public Utilities Commission

With respect to the initiatives described on pages 186 and 187 of the Part A initiatives and Language Part UUU on pages 56 and 57 (Public Utilities Commission), 8 members voted to recommend acceptance of these initiatives and Language Part. Five members were absent at the time of the vote (Carlow, Foster, Grignon, Stewart and Zeigler).

Attached are selections from the Part A initiatives and the Language Parts indicating the Committee's vote on each initiative. Please let us know if we can provide any additional information or assistance in connection with information provided above.

cc: Members, Joint Standing Committee on Appropriations and Financial Affairs
Members, Joint Standing Committee on Energy, Utilities and Technology

Please ADD the following to Part A, Section 1 of LD 221 as follows:

IN
44

Executive Department

GOVERNOR'S ENERGY OFFICE Z122

	2021-22	2022-23
Initiative: Establishes 2 Public Service Coordinator II positions to provide legal counsel and advisory and other support for legal and grid modernization proceedings and provides funding for related All Other expenses.		
GENERAL FUND		
Positions - LEGISLATIVE COUNT	2,000	2,000
Personal Services	284,690	296,272
All Other	8,058	8,058
Total	292,748	304,330
	2021-22	2022-23
Initiative: Establishes 2 Public Service Coordinator II positions and provides funding for related All Other costs as well as one-time funding to establish a Research Consortium.		
GENERAL FUND		
Positions - LEGISLATIVE COUNT	2,000	2,000
Personal Services	284,690	296,272
All Other	1,008,058	1,008,058
Total	1,292,748	1,304,330
	2021-22	2022-23
Initiative: Establishes one limited -period Public Service Coordinator II position to provide power sector transformation studies in accordance with the Maine Climate Action Plan and provides funding for related All Other expenses.		
OTHER SPECIAL REVENUE FUNDS		
Personal Services	142,345	148,136
All Other	107,655	101,864
Total	250,000	250,000

Please ADD the following to Part A, Section 1 of LD 221 as follows:

IN
8-0

Public Utilities Commission

EMERGENCY SERVICES COMMUNICATION BUREAU 0994

2021-22

2022-23

Initiative: Provides funding for the increase salary of the Director of Emergency Services Communication Bureau to be consistent with the other Commission directors in 2 MRSA, §6-A, sub-§3 and transfers All Other to Personal Services to fund the increase.

OTHER SPECIAL REVENUE FUNDS

Personal Services

15,930

23,585

All Other

(15,930)

(23,585)

Total

0

0

Please ADD the following to Part A, Section 1 of LD 221 as follows:

IN

8-0

Public Utilities Commission

PUBLIC UTILITIES - ADMINISTRATIVE DIVISION 0184

2021-22

2022-23

Initiative: Reduces funding due to anticipated revenues in the prepaid wireless fee fund account based on current prepaid wireless fee rates.

OTHER SPECIAL REVENUE FUNDS

All Other

(71,640)

(71,640)

Total

(71,640)

(71,640)

2021-22

2022-23

Initiative: Restores legislative count for one position that was dropped from the baseline legislative count due to a technical error and enacted in Public Law 2021, chapter 29. Funding for this position already exists in the baseline allocation.

OTHER SPECIAL REVENUE FUNDS

Positions - LEGISLATIVE COUNT

1,000

1,000

Total

1,000

1,000

IN
8-0
(all language parts)

Amend LD 221 by adding the following Part:

PART UUU

Sec. UUU-1. 2 MRSA §6-A, sub-§3, as amended by PL 2015, c. 8, §1, is further amended to read:

3. **Other employees.** The salaries of the following employees are within salary range 53:

- A. General counsel;
- B. Director of telephone and water utility industries;
- C. Administrative Director;
- D. Director of electric and gas utility industries; ~~and~~
- E. Director of consumer assistance and safety; and
- F. Director of emergency services communication.

Sec. UUU-2. 5 MRSA §949, sub-§1, as amended by PL 2015, c. 8, §2, is further amended to read:

1. **Major policy-influencing positions.** The following positions are major policy-influencing positions within the Public Utilities Commission. Notwithstanding any other provision of law, these positions and their successor positions ~~shall be~~ are subject to this chapter:

- A. General Counsel - Public Utilities Commission;
- B. Director of telephone and water utility industries;
- C. Administrative Director;
- D. Director of electric and gas utility industries; ~~and~~
- E. Director of consumer assistance and safety; and
- F. Director of emergency services communication.

Sec. UUU-3. 35-A MRSA §107, sub-§1, ¶A, as amended by PL 2015, c. 8, §3, is further amended to read:

A. An administrative director, a director of telephone and water utility industries, a director of electric and gas utility industries ~~and~~, a director of consumer assistance and safety; and a director of emergency services communication;

Sec. UUU-4. 35-A MRSA §107, sub-§2, ¶A, as amended by PL 2015, c. 8, §4, is further amended to read:

A. The general counsel, the administrative director, the assistant administrative director, the director of telephone and water utility industries, the director of electric and gas utility industries ~~and~~, the director of consumer assistance and safety and the director of emergency

services communication serve at the pleasure of the commission and their salaries must be set by the commission within the ranges established by Title 2, section 6-A.

Sec. UUU-5. 35-A MRSA §107, sub-§2, ¶C, as amended by PL 2015, c. 8, §5, is further amended to read:

A. The salaries of the other subordinate officials and employees of the commission, other than those of the general counsel, the administrative director, the assistant administrative director, the director of telephone and water utility industries, the director of electric and gas utility industries, the director of consumer assistance safety, the director of emergency services communication and the staff attorney and utility analyst positions, are subject to the Civil Service Law.

PART UUU SUMMARY

This Part reclassifies the Public Utilities Commission's director of emergency services communication to be consistent with other commission directors.