

# MAINE STATE LEGISLATURE

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# 129th MAINE LEGISLATURE

## SECOND REGULAR SESSION-2020

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Legislative Document

No. 2055

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S.P. 728

In Senate, January 16, 2020

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### **An Act To Require State Agencies To Use Renewable and Sustainable Energy and Reduce Greenhouse Gas Emissions**

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Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Reference to the Committee on State and Local Government suggested and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT  
Secretary of the Senate

Presented by Senator LIBBY of Androscoggin.  
Cosponsored by Representative MARTIN of Sinclair and  
Senators: CLAXTON of Androscoggin, DESCHAMBAULT of York, VITELLI of Sagadahoc,  
Representative: BERRY of Bowdoinham.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 5 MRSA §1770-A** is enacted to read:

3 **§1770-A. Renewable and sustainable energy use and greenhouse gas emissions**  
4 **reduction**

5 **1. Definitions.** As used in this section, unless the context otherwise indicates, the  
6 following terms have the following meanings.

7 A. "Environmentally preferable products and services" means products and services  
8 that, when compared with other similar products or services, as applicable, contain  
9 recycled materials, conserve energy or water, minimize waste and packaging, are less  
10 toxic or hazardous, reduce the generation, release or disposal of toxic substances,  
11 protect open spaces or otherwise lessen the impact of such products or services on  
12 public health and the environment.

13 B. "Sustainability coordinator" means a person designated by a state agency to  
14 oversee that agency's work to implement the renewable and sustainable energy use  
15 and greenhouse gas emissions reduction targets and timelines established pursuant to  
16 subsection 2.

17 **2. Renewable and sustainable energy use and greenhouse gas emissions**  
18 **reduction timelines and targets.** The Governor's Energy Office, the Governor's Office  
19 of Policy Innovation and the Future and representatives from the Department of  
20 Environmental Protection, Efficiency Maine Trust, Department of Administrative and  
21 Financial Services and Department of Transportation shall establish, by February 1, 2021,  
22 renewable and sustainable energy use and greenhouse gas emissions reduction targets and  
23 timelines for all state operations. Solar panels or similar solar technologies must be  
24 considered and included as a method to achieve the targets and timelines whenever  
25 possible. The Governor's Energy Office shall post the targets and timelines on its publicly  
26 accessible website.

27 **3. State agency sustainability coordinators.** Each state agency shall designate a  
28 sustainability coordinator and may establish internal sustainability teams.

29 **4. Leadership team.** The sustainability coordinators designated under subsection 3  
30 by the Governor's Energy Office, Governor's Office of Policy Innovation and the Future,  
31 Department of Environmental Protection, Efficiency Maine Trust, Department of  
32 Administrative and Financial Services and Department of Transportation compose the  
33 leadership team and shall meet regularly to track the progress in meeting the renewable  
34 and sustainable energy use and greenhouse gas emissions reduction targets and timelines  
35 and to identify, develop and implement additional requirements to improve consistency  
36 and cost efficiencies in the targets and timelines. The Governor's Office of Policy  
37 Innovation and the Future and the Governor's Energy Office sustainability coordinators  
38 shall facilitate and support the work of the leadership team.

39 **5. Agency sustainability coordinators to work with leadership team.** An  
40 agency's sustainability coordinator shall act as the agency's liaison with the leadership  
41 team under subsection 4. An agency's sustainability coordinator shall develop and

1 implement a plan for the agency to meet or exceed the renewable and sustainable energy  
2 use and greenhouse gas emissions reduction targets and timelines established pursuant to  
3 subsection 2. In developing the plan, the sustainability coordinator shall consider policies  
4 including, but not limited to:

5 A. Installing solar panels or similar solar technologies on existing public buildings;

6 B. Prioritizing energy and fuel efficiency when upgrading building systems,  
7 appliances and vehicle fleets;

8 C. Installing renewable and sustainable energy generation and energy storage on  
9 state property or procuring energy from low-carbon sources;

10 D. Promoting use of electric vehicles and installation of electric vehicle charging  
11 stations on state property; and

12 E. Reducing employees' vehicle mileage by encouraging video conferencing;  
13 telework options; and commuting by carpool, public transit, bike and foot and by  
14 offering preferred parking, bike storage and other incentives to encourage these  
15 options.

16 **6. Program.** The Governor's Energy Office shall coordinate with the Efficiency  
17 Maine Trust to create a program to promote and fund projects that reduce greenhouse gas  
18 emissions and costs or increase low-carbon energy adoption and efficiency, including  
19 solar panels or similar solar technologies.

20 **7. Capitol Planning Commission master plan.** The Department of Administrative  
21 and Financial Services shall update the master plan developed by the Capitol Planning  
22 Commission pursuant to section 299 to implement the renewable and sustainable energy  
23 use and greenhouse gas emissions reduction targets and timelines established in  
24 subsection 2.

25 **8. Biennial report.** Every 2 years, the leadership team under subsection 4 shall  
26 submit a written report to the Governor and the Legislature that includes, for all state  
27 agencies and operations, the annual energy use, energy sources, greenhouse gas emissions  
28 and progress on the renewable and sustainable energy use and greenhouse gas emissions  
29 reduction targets and timelines established in subsection 2. Each state agency shall post  
30 the report on the agency's publicly accessible website.

31 **9. Procurement.** Notwithstanding any provision of law to the contrary, all state  
32 agencies shall procure environmentally preferable products and services whenever such  
33 environmentally preferable products and services are readily available, perform to  
34 satisfactory standards and represent best value to the State. Agencies shall consider the  
35 total cost of ownership of products and services, including all costs associated with the  
36 production, purchase, transportation, use, operation and disposal of such products or  
37 services. Agencies shall consider environmentally preferable products and services  
38 sourced in the State when total costs are competitive.

39 **10. Waste management.** Notwithstanding any provision of law to the contrary, all  
40 state agencies shall encourage practices that lead to healthier and less wasteful  
41 workplaces. Such practices may include, but not be limited to, improving recycling and

1 composting, reducing use of plastic, foam and single-use products and providing  
2 information to state employees about reducing their workplace carbon footprints and  
3 reducing solid waste in the workplace. Annual recognition may be awarded to agencies,  
4 projects or employees that are leading by example.

5 **11. New facility siting and designing.** State agencies shall account for climate  
6 change projections, including, but not limited to, sea level rise and increased precipitation  
7 and temperature, when siting and designing new state facilities and other construction  
8 projects. When procuring leased space, state agencies shall make every available effort to  
9 increase the resiliency of these facilities and infrastructure. Agencies shall consider  
10 continuity of operations and resilience in building system design for critical facilities.

## 11 **SUMMARY**

12 This bill requires renewable and sustainable energy use and greenhouse gas emissions  
13 reduction targets and timelines to be established for state agencies by February 1, 2021.  
14 Solar panels or similar solar technologies must be considered and included as a method to  
15 achieve the targets and timelines as appropriate. The bill requires the Governor's Energy  
16 Office, the Governor's Office of Policy Innovation and the Future, the Department of  
17 Environmental Protection, the Efficiency Maine Trust, the Department of Administrative  
18 and Financial Services and the Department of Transportation to work together to establish  
19 these targets and timelines and to submit a biennial progress report to the Governor and  
20 the Legislature. Each of these offices and departments, and each other state agency, must  
21 designate a sustainability coordinator. The sustainability coordinator is responsible to  
22 develop and implement a plan for the agency to meet or exceed the targets and timelines.  
23 State agencies are required to procure environmentally preferable products and services  
24 as long as certain conditions are met. State agencies are encouraged to adopt and  
25 implement practices to decrease waste in the workplace. State agencies are required to  
26 account for climate change when siting or designing new state facilities or other  
27 construction projects.