

# MAINE STATE LEGISLATURE

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# 128th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2017

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Legislative Document

No. 1515

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H.P. 1039

House of Representatives, April 25, 2017

**An Act To Reduce Electric Rates for Maine Businesses by  
Amending the Laws Governing Spending from the Regional  
Greenhouse Gas Initiative Trust Fund**

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Reference to the Committee on Energy, Utilities and Technology suggested and ordered printed.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative WADSWORTH of Hiram.  
Cosponsored by Representatives: HANLEY of Pittston, HARVELL of Farmington,  
O'CONNOR of Berwick.

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

2 **Sec. 1. 35-A MRSA §10109, sub-§3-B** is enacted to read:

3 **3-B. Ceiling on energy efficiency spending.** There is established a ceiling on  
4 energy efficiency spending from the trust fund equal to \$5 per carbon dioxide allowance.  
5 Until that price ceiling is adjusted or removed, only the first \$5 of each carbon dioxide  
6 allowance sold and deposited in the trust fund may be awarded to or directed to qualified  
7 projects for purposes of energy efficiency improvements.

8 A. Until fiscal year 2019-20, the trust shall transfer to the commission for  
9 distribution to Maine-based energy-intensive businesses, other than affected  
10 customers, any revenue received that is in excess of the sum of:

11 (1) Carbon dioxide allowances valued above \$5; and

12 (2) The transfer, in accordance with subsection 3-A, to the commission of  
13 \$3,000,000 to be used for disbursements to affected customers.

14 B. Beginning with fiscal year 2019-20:

15 (1) Revenue received by the trust from carbon dioxide allowances valued above  
16 \$5 up to a limit of \$3,000,00 per year must be transferred to the commission for  
17 use by the commission for the benefit of affected customers in accordance with  
18 section 3-A; and

19 (2) Revenue received by the trust in excess of the amount transferred in  
20 accordance with subparagraph (1) must be transferred to the commission for  
21 distribution to Maine-based energy-intensive businesses, other than affected  
22 customers, up to an additional \$3,000,000 annually.

23 Any funds received by the trust in excess of a value of \$5 per carbon dioxide  
24 allowance plus \$6,000,000 must be transferred to the commission for distribution to  
25 electric ratepayers in a manner designed to provide the greatest benefit to the State  
26 economy as determined by the commission.

27 For purposes of this subsection, "affected customer" has the same meaning as in  
28 subsection 3-A. The commission may adopt rules to implement this subsection. Rules  
29 adopted under this subsection are routine technical rules as defined in Title 5, chapter  
30 375, subchapter 2-A.

31 **Sec. 2. 35-A MRSA §10109, sub-§4, ¶A-1** is enacted to read:

32 A-1. Notwithstanding paragraph A, during fiscal years 2017-18 and 2018-19 the  
33 trust need not allocate 50% of the funds for residential programs and 50% for  
34 commercial and industrial programs and may instead allocate those funds to  
35 programs determined by the trust.

## 36 SUMMARY

37 This bill establishes a ceiling on energy efficiency spending from the Regional  
38 Greenhouse Gas Initiative Trust Fund; provides for transfers from the trust fund to

1 Maine-based energy-intensive businesses, in addition to transfers to affected customers;  
2 requires that funds over a certain amount be distributed to ratepayers; and authorizes the  
3 Public Utilities Commission to adopt implementing rules. This bill also authorizes the  
4 trust, during fiscal years 2017-18 and 2018-19, to deviate from the allocation  
5 requirements set forth in the statutes and instead allocate those funds to the programs that  
6 the trust determines.