

MAINE STATE LEGISLATURE

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L.D. 1350

Date: 4-25-2022

(Filing No. H-1047)

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
130TH LEGISLATURE
SECOND REGULAR SESSION

HOUSE AMENDMENT "A" to COMMITTEE AMENDMENT "C" to S.P. 432,
L.D. 1350, "An Act To Expand Maine's Clean Energy Economy"

Amend the amendment in section 5 in subsection 1 in the 3rd line (page 3, line 5 in amendment) by inserting after the following: "B-1" the following: 'and one competitive solicitation pursuant to paragraph B-2'

Amend the amendment in section 5 in subsection 1 by inserting after paragraph B-1 the following:

'B-2. Through competitive solicitation, the commission shall procure additional energy or renewable energy credits from Class IA resources. The commission shall initiate a competitive solicitation under this paragraph and ensure that the solicitation results in the approval of contracts by December 31, 2024 for energy equal to at least 150 megawatts. Any project awarded a contract solicited under this paragraph must be located on previously developed or contaminated land, including areas covered by impervious surfaces, capped landfills, brownfield sites as defined by the Department of Environmental Protection, reclaimed gravel pits, and agricultural land that the Department of Agriculture, Conservation and Forestry has determined to be contaminated with perfluoroalkyl and polyfluoroalkyl substances, as defined in Title 38, section 1614, subsection 1, paragraph F. If at the close of the competitive solicitation the commission determines that no proposal meets the requirements of this subsection or that approval of a contract that otherwise meets the requirements of this subsection is not in the public interest, the commission may reject all proposals or may accept only a contract that is in the public interest and may initiate a new competitive solicitation under this subsection.'

Amend the amendment in section 5 in subsection 1 in paragraph B-6 in the 2nd line (page 4, line 16 in amendment) by striking out the following: "B-1" and inserting the following: 'B-2'

Amend the amendment in section 5 in subsection 1 by relettering paragraphs B-2 to B-6 to read consecutively.

Amend the amendment in section 5 in subsection 1 in paragraph C in the 2nd and 3rd lines (page 4, lines 19 and 20 in amendment) by striking out the following: "in consultation

HOUSE AMENDMENT

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1 with the Department of Agriculture, Conservation and Forestry and the Department of
2 Environmental Protection"

3 Amend the amendment in section 5 in subsection 1 in paragraph C in the 4th and 5th
4 lines (page 4, lines 21 and 22 in amendment) by striking out the following: "~~to ratepayers~~
5 ~~and the benefits to the State's economy of solicited bids~~" and inserting the following: 'to
6 ratepayers and the benefits to the State's economy'

7 Amend the amendment in section 5 in subsection 1 in paragraph C in subparagraph (2)
8 in division (f) in the first line (page 4, line 42 in amendment) by striking out the following:
9 "; and" and inserting the following: '; and'

10 Amend the amendment in section 5 in subsection 1 in paragraph C in subparagraph (2)
11 in division (g) in the first line (page 5, line 1 in amendment) by striking out the following:
12 ". " and inserting the following: '.; and'

13 Amend the amendment in section 5 in subsection 1 in paragraph C in subparagraph (2)
14 by inserting after division (g) the following:

15 '(h) Use of agricultural land the Department of Agriculture, Conservation and
16 Forestry has found to be contaminated with perfluoroalkyl and polyfluoroalkyl
17 substances, as defined in Title 38, section 1614.'

18 Amend the amendment in section 8 in §10130 in subsection 2 in the first line (page 6,
19 line 39 in amendment) by striking out the following: "25%" and inserting the following:
20 '50%'

21 Amend the amendment in section 8 in §10130 in subsection 2 in the 2nd and 3rd lines
22 (page 6, lines 40 and 41 in amendment) by striking out the following: "each procurement
23 conducted by the commission under section 3210-G, subsection 1, paragraph B-1" and
24 inserting the following: 'the procurement conducted by the commission under section
25 3210-G, subsection 1, paragraph B-2'

26 Amend the amendment by striking out all of section 9 and inserting the following:

27 **'Sec. 9. Report.** The Efficiency Maine Trust shall report by February 15, 2023 to the
28 joint standing committee of the Legislature having jurisdiction over energy and utility
29 matters on the Renewable Energy and Storage Savings and Investment Program established
30 under the Maine Revised Statutes, Title 35-A, section 10130. The report must include a
31 description of actions taken by the trust under the program, anticipated long-term value to
32 ratepayers from the execution of the program, including but not limited to ratepayer
33 savings, cash reserves and owner equity and recommendations for changes to the laws to
34 further enhance or clarify the program and the trust's authority and responsibilities under
35 the program or a recommendation to repeal the program. The joint standing committee of
36 the Legislature having jurisdiction over energy and utility matters may report out
37 legislation related to the program to the 131st Legislature.'

38 Amend the amendment by relettering or renumbering any nonconsecutive Part letter or
39 section number to read consecutively.

SUMMARY

1
2 This amendment requires the Public Utilities Commission to perform an additional
3 competitive solicitation for 150 megawatts of energy by December 31, 2024, limited to a
4 project located on previously developed or contaminated land.

5 It requires the Efficiency Maine Trust to submit a bid or bids for at least 50% of the
6 megawatts solicited under the procurement conducted by the commission under the Maine
7 Revised Statutes, Title 35-A, section 3210-G, subsection 1, paragraph B-2.

8 It changes the date by which the Efficiency Maine Trust has to submit a report to
9 February 15, 2023, adds an additional requirement regarding value to ratepayers to that
10 report and allows the report to recommend the repeal of the program.

11 SPONSORED BY: Nicole Grohoski

12 (Representative GROHOSKI, N.)

13 TOWN: Ellsworth

FISCAL NOTE REQUIRED
(See attached)



130th MAINE LEGISLATURE

LD 1350

LR 1499(10)

An Act To Expand Maine's Clean Energy Economy

Fiscal Note for House Amendment "A" to Committee Amendment "C"

Sponsor: Rep. Grohoski of Ellsworth

Fiscal Note Required: Yes

(H-1047)

Fiscal Note

Minor cost increase - Efficiency Maine Trust
Minor cost increase - Other Special Revenue Funds

Fiscal Detail and Notes

Any additional costs to the Public Utilities Commission or the Efficiency Maine Trust as a result of the provisions in this amendment are anticipated to be minor and can be absorbed within existing budgeted resources.