

# MAINE STATE LEGISLATURE

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Date: 4/8/22 Report "A"

L.D. 2015  
(Filing No. H-967)

**ENERGY, UTILITIES AND TECHNOLOGY**

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

COMMITTEE AMENDMENT "A" to H.P. 1497, L.D. 2015, "An Act To Update the Comprehensive State Energy Plan To Achieve the State Energy Vision"

Amend the bill by striking out everything after the enacting clause and inserting the following:

'Sec. 1. 2 MRSA §9, sub-§3, ¶C, as amended by PL 2013, c. 541, §1, is repealed and the following enacted in its place:

C. No later than December 1, 2023 and every 4 years thereafter, develop, with input from the public and in consultation with relevant state and quasi-independent state entities, a state energy plan that establishes specific strategies to achieve the State's energy and climate goals. The office shall submit the state energy plan to the Governor, the Maine Climate Council established by Title 38, section 577-A and the joint standing committee of the Legislature having jurisdiction over energy and utilities matters. The plan must include specific near-term and long-term goals, as well as benchmarks by which progress toward these goals will be measured, and strategies for accomplishing the goals. The director shall seek to ensure the plan is consistent with the following planning principles, referred to in this paragraph as "the state energy vision":

- (1) Ensure energy consumers in the State, including households and businesses, are able to access cost-effective sources of energy and reasonably priced energy;
- (2) Enable and promote economic activity across the State in a manner that develops and sustains a robust workforce and clean sources of energy;
- (3) Support the achievement of the State's emissions reduction, climate change and renewable energy goals;
- (4) Achieve a fair and just allocation of energy benefits, costs and relative burdens for people and businesses in this State;
- (5) Ensure energy is supplied reliably and the frequency and duration of energy supply interruptions is minimized;

**COMMITTEE AMENDMENT**

1                   (6) Identify and minimize energy vulnerabilities, including by ensuring energy  
 2                   infrastructure is protected from and prepared for the effects of climate change; and

3                   (7) Plan with due regard for the regional nature of the State’s energy systems.

4                   No later than January 1, 2025 and every 2 years thereafter, the director shall review the  
 5                   state energy plan and report to the Governor, the Maine Climate Council established  
 6                   by Title 38, section 577-A and the joint standing committee of the Legislature having  
 7                   jurisdiction over energy and utilities matters on the State’s progress toward achieving  
 8                   plan goals consistent with the state energy vision. In conducting the review, the office  
 9                   shall provide opportunities for public comment and input on the plan and progress. The  
 10                   report must provide specific and measured outcomes for each benchmark established  
 11                   in the plan. The report may also include recommended changes to the plan. If, within  
 12                   the 2-year reporting period, a change has been made to a benchmark or to a reporting  
 13                   method in the plan, the report may include additional data, metrics and methods to  
 14                   reflect the change, but the plan must also maintain consistent data, metrics and methods  
 15                   in order to ensure maximum accountability, transparency and public understanding of  
 16                   the plan and specific outcomes for each benchmark.

17                   The joint standing committee of the Legislature having jurisdiction over energy and  
 18                   utilities matters may report out a bill by February 1st of each even-numbered year  
 19                   relating to the content of the plan. The joint standing committee of the Legislature  
 20                   having jurisdiction over natural resources matters may make recommendations on that  
 21                   legislation to the joint standing committee of the Legislature having jurisdiction over  
 22                   energy and utilities matters.

23                   **Sec. 2. 2 MRSA §9, sub-§3, ¶C-1**, as amended by PL 2013, c. 415, §3, is further  
 24 amended to read:

25                   C-1. By ~~January~~ March 15th of each year, prepare and submit to the joint standing  
 26                   committee of the Legislature having jurisdiction over energy and ~~energy~~ utilities and ~~energy~~  
 27                   matters an annual report that describes the activities of the office during the previous  
 28                   calendar year in carrying out its duties under this subsection and describes the State's  
 29                   progress in implementation of the state energy plan prepared pursuant to paragraph C  
 30                   and its annual accounting pursuant to subsection 2-A, paragraph B. After receipt and  
 31                   review of the annual report required under this paragraph, the joint standing committee  
 32                   of the Legislature having jurisdiction over energy and ~~energy~~ utilities and ~~energy~~ matters may  
 33                   submit legislation relating to energy policy;

34                   **Sec. 3. 2 MRSA §9, sub-§3, ¶G**, as amended by PL 2011, c. 655, Pt. MM, §3 and  
 35 affected by §26, is further amended to read:

36                   G. Seek, accept and administer funds from public and private sources and develop  
 37                   partnerships with public and private entities to support the goals of the office,  
 38                   including, but not limited to, promoting energy efficiency, demand-side management  
 39                   and distributed generation; and

40                   **Sec. 4. 2 MRSA §9, sub-§3, ¶H**, as amended by PL 2013, c. 415, §4, is repealed.

41                   **Sec. 5. 2 MRSA §9, sub-§3, ¶I**, as enacted by PL 2007, c. 656, Pt. C, §1, is repealed.

42                   **Sec. 6. 2 MRSA §9, sub-§4, ¶B**, as enacted by PL 2009, c. 655, Pt. C, §2, is  
 43 amended to read:

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1 B. Avoiding wherever possible the use of lands subject to the provisions of the  
2 Constitution of Maine, Article IX, Section 23; and

3 **Sec. 7. 2 MRSA §9, sub-§4, ¶C**, as enacted by PL 2009, c. 655, Pt. C, §2, is  
4 amended to read:

5 C. Maximizing the benefit realized from the State's strategic location within New  
6 England and the northeastern region; and.

7 **Sec. 8. 2 MRSA §9, sub-§4, ¶D**, as enacted by PL 2009, c. 655, Pt. C, §2, is  
8 repealed.

9 **Sec. 9. 2 MRSA §9, sub-§6**, as enacted by PL 2011, c. 655, Pt. MM, §4 and affected  
10 by §26, is amended to read:

11 **6. Maine Energy Resources Development Program.** The Maine Energy Resources  
12 Development Program, referred to in this subsection as "the program," is established to  
13 promote energy research and demonstration and deployment activities related to both the  
14 use of indigenous, renewable resources and more efficient use of energy. The office, as  
15 funding allows, shall administer the program. The director may accept private money for  
16 the purpose of funding the program.

17 A. The director shall include, in the ~~comprehensive~~ state energy plan under subsection  
18 3, paragraph C, a report that specifies, in regard to the program, the expenditure of  
19 program funds, the purposes for which the funds were used and the amount of the funds  
20 and the sources from which the funds were derived.

21 B. For all proposed program expenditures of \$10,000 or more, the director shall seek  
22 approval for those expenditures from the Governor. If the Governor approves, the  
23 director shall seek approval for those expenditures from the Legislature under the  
24 procedures authorizing the transfer of funds set forth in Title 5, section 1585.

25 **Sec. 10. 2 MRSA §9, sub-§8** is enacted to read:

26 **8. Contracts; agreements.** With the consent of the Governor and to the extent of  
27 available funding, consistent with the powers and duties of the office under this section,  
28 the office may:

29 A. Retain expert and professional consultants;

30 B. Contract for other services the director determines to be necessary; and

31 C. Enter into agreements with the Federal Government and other agencies and  
32 organizations to promote the objectives of this section.'

33 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section  
34 number to read consecutively.

35 **SUMMARY**

36 This amendment replaces the bill. This amendment:

37 1. Replaces the requirements of current law governing the state energy plan developed  
38 by the Governor's Energy Office;

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- 1           2. Changes the annual reporting date from January 15th to March 15th for the  
2 Governor's Energy Office to report on the activities of the office to the joint standing  
3 committee of the Legislature having jurisdiction over energy and utilities matters;
- 4           3. Repeals a directive to the Governor's Energy Office with regard to negotiating  
5 certain agreements with developers of renewable generation;
- 6           4. Repeals a directive to the Governor's Energy Office to monitor certain energy  
7 transmission capacity planning activities;
- 8           5. Repeals a directive to the Governor's Energy Office, when advising state agencies  
9 regarding energy matters, to comply with the provisions of a certain memorandum of  
10 agreement between the Maine Turnpike Authority and the Department of Transportation;
- 11          6. Modifies the Maine Energy Resources Development Program to include promoting  
12 energy deployment activities related to both the use of indigenous, renewable resources  
13 and more efficient use of energy; and
- 14          7. Authorizes the Governor's Energy Office, with the consent of the Governor, to the  
15 extent of available funds and consistent with the powers and duties of the office, to retain  
16 expert and professional consultants; contract for other services; and enter into agreements  
17 with the Federal Government and other agencies and organizations to promote the  
18 objectives of the office.

**FISCAL NOTE REQUIRED**

**(See attached)**

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# 130th MAINE LEGISLATURE

LD 2015

LR 2657(02)

**An Act To Update the Comprehensive State Energy Plan To Achieve the State Energy Vision**

**Fiscal Note for Bill as Amended by Committee Amendment "A" (H-967)**  
**Committee: Energy, Utilities and Technology**  
**Fiscal Note Required: Yes**

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## Fiscal Note

Minor cost increase - General Fund

### Fiscal Detail and Notes

Any additional costs to the Governor's Energy Office from the provisions in this bill are expected to be minor and can be absorbed within existing budgeted resources.