

MAINE STATE LEGISLATURE

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131st MAINE LEGISLATURE

FIRST REGULAR SESSION-2023

Legislative Document

No. 1227

H.P. 775

House of Representatives, March 21, 2023

**An Act to Balance Renewable Energy Development with Natural
and Working Lands Conservation**

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

Robert B. Hunt

ROBERT B. HUNT
Clerk

Presented by Representative PLUECKER of Warren.
Cosponsored by Representatives: CRAFTS of Newcastle, GRAMLICH of Old Orchard Beach,
HEPLER of Woolwich, O'CONNELL of Brewer, ZEIGLER of Montville.

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

2 **Sec. 1. 2 MRSA §9, sub-§3, ¶I**, as enacted by PL 2007, c. 656, Pt. C, §1, is amended
3 to read:

4 I. Monitor energy transmission capacity planning and policy affecting this State and
5 the regulatory approval process for the development of energy infrastructure pursuant
6 to Title 35-A, section 122 and make recommendations to the Governor and the
7 Legislature as necessary for changes to the relevant laws and rules to facilitate energy
8 infrastructure planning and development; ~~and~~

9 **Sec. 2. 2 MRSA §9, sub-§3, ¶J**, as amended by PL 2011, c. 55, §2, is further
10 amended to read:

11 J. Take action as necessary to carry out the goals and objectives of the state energy
12 plan prepared pursuant to paragraph C including lowering the total cost of energy to
13 consumers in this State; ~~and~~

14 **Sec. 3. 2 MRSA §9, sub-§3, ¶K** is enacted to read:

15 K. Create and maintain a publicly accessible database of fully permitted or constructed
16 energy facilities that may be used to identify land use and other energy trends. For
17 purposes of this paragraph, "energy facility" means a facility constructed and operated
18 for the purpose of generating energy for sale and that is connected to the electric
19 transmission and distribution utility system within the State. The database must include
20 key characteristics, including, but not limited to, geospatial data. The director may
21 collect the data from state permitting agencies, the Public Utilities Commission and
22 other relevant entities and may determine the format and schedule of data collection.

23 **Sec. 4. Department of Agriculture, Conservation and Forestry to plan for**
24 **pilot program to study feasibility of dual-use projects.** The Department of
25 Agriculture, Conservation and Forestry, referred to in this section as "the department," in
26 collaboration with the Governor's Energy Office, the Public Utilities Commission and other
27 state agencies and stakeholders, including research institutions, shall develop a plan to
28 implement a dual-use energy pilot program, referred to in this section as "the pilot program
29 plan," to test and study the efficacy and potential benefits of innovative solar energy
30 systems that are connected to the electric transmission and distribution utility system and
31 are located on natural and developed areas, including, but not limited to, farmland that is
32 maintained in active agricultural or horticultural use, parking lots and aquatic sites. For
33 purposes of this section, "dual-use project" means a mixed-use system combining use of
34 land or aquatic sites with solar energy production.

35 The pilot program plan must:

36 1. Identify potential dual-use projects that collectively have a total capacity of 30
37 megawatts, with at least 20 megawatts reserved for dual-use projects on agricultural land,
38 and that may warrant inclusion in a pilot program based on criteria including but not limited
39 to emerging or potential commercial viability, potential applicability to the State, and
40 potential to contribute meaningfully and cost-effectively to achievement of the goals
41 established in the Maine Revised Statutes, Title 35-A, section 3210, subsection 1-A;

