

MAINE STATE LEGISLATURE

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Date: 3/11/24

MAJORITY

(Filing No. S-570)

ENERGY, UTILITIES AND TECHNOLOGY

Reproduced and distributed under the direction of the Secretary of the Senate.

STATE OF MAINE

SENATE

131ST LEGISLATURE

SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 638, L.D. 1606, "An Act to Finance Clean Energy and Infrastructure in Maine"

Amend the bill by striking out the title and substituting the following:

'Resolve, to Study Opportunities and Provide Guidance for School Clean Energy and Energy Efficiency Programs'

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

'Sec. 1. Study to evaluate opportunities for clean energy and energy efficiency programs in schools; report. Resolved: That the Department of Education's office of innovation, in coordination with the Office of Policy Innovation and the Future, the Governor's Energy Office and the Efficiency Maine Trust, shall conduct a study and develop guidance to assist public elementary and secondary schools in the State with achieving energy efficiency and maximizing the use of clean energy. The study must include:

1. Identification and review of current and anticipated:

A. State and federal programs available to public elementary and secondary schools in the State for supporting energy audits and energy efficiency projects and financing and development of clean energy and clean transportation; and

B. Options for public elementary and secondary schools to contract with energy services companies, as defined in the Maine Revised Statutes, Title 5, section 1770, subsection 2, paragraph B, including opportunities for 3rd-party financing of school construction; and

2. Review and consideration of:

A. National climate policies and best practices, including, but not limited to, those described in Executive Order No. 14008, 86 Federal Register, 7619, January 27, 2021, and from relevant jurisdictions; and

1 B. State policies related to labor practices and workforce enhancement standards,
 2 including, but not limited to, those described in the Maine Revised Statutes, Title 35-A,
 3 section 3408, subsection 2, paragraph F, subparagraph (2).

4 The guidance developed through this study must address how the programs and
 5 contracting options reviewed in accordance with subsection 1 may be effectively accessed
 6 and used by public elementary and secondary schools in the State and how public
 7 elementary and secondary schools can incorporate the best practices and standards
 8 reviewed in accordance with subsection 2 within those programs and contracting options.

9 No later than January 31, 2025, the Department of Education's office of innovation
 10 shall provide a report of its activities, as well as guidance for public elementary and
 11 secondary schools in the State for achieving energy efficiency, to the joint standing
 12 committees of the Legislature having jurisdiction over energy matters and education
 13 matters. The report may also include recommendations for legislation. The joint standing
 14 committee of the Legislature having jurisdiction over energy matters may report out a bill
 15 related to the report to the 132nd Legislature in 2025.

16 **Sec. 2. Department of Education to develop contracting guidance for**
 17 **schools; report. Resolved:** That the Department of Education, in consultation with the
 18 Office of Policy Innovation and the Future, the Governor’s Energy Office, the Efficiency
 19 Maine Trust, relevant state agencies and representatives from school leadership, including
 20 superintendents, business officers and facilities managers, shall develop contracting
 21 guidance for public elementary and secondary schools to assist the schools with saving
 22 money through energy efficiency, clean energy and clean transportation projects. The
 23 guidance must be designed to assist schools entering into contracts for such projects,
 24 including energy performance contracts with energy service companies, as defined in the
 25 Maine Revised Statutes, Title 5, section 1770, subsection 2, paragraph B, to maximize
 26 federal tax incentives and ensure timely and on-budget project completion of the contracted
 27 project or service.

28 No later than January 31, 2025, the Department of Education shall provide a report,
 29 including draft guidance, to the joint standing committees of the Legislature having
 30 jurisdiction over energy matters and education matters. The report may also include
 31 recommendations for legislation. The joint standing committee of the Legislature having
 32 jurisdiction over education matters may report out a bill related to the report to the 132nd
 33 Legislature in 2025.'

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

36 **SUMMARY**

37 This amendment replaces the bill with a resolve and does the following.

38 1. It directs the Department of Education's office of innovation to conduct a study and
 39 develop guidance, in coordination with the Office of Policy Innovation and the Future, the
 40 Governor’s Energy Office and the Efficiency Maine Trust, to assist public elementary and
 41 secondary schools in the State with achieving energy efficiency and maximizing the use of
 42 clean energy. The guidance must address how the programs and contracting options
 43 reviewed as a part of the study may be effectively accessed and used by public elementary
 44 and secondary schools in the State and incorporate the best practices and standards. No

1 later than January 31, 2025, the Department of Education's office of innovation must
 2 provide a report of its activities, as well as guidance for public elementary and secondary
 3 schools in the State for achieving energy efficiency, to the joint standing committees of the
 4 Legislature having jurisdiction over energy matters and education matters. The joint
 5 standing committee of the Legislature having jurisdiction over energy matters may report
 6 out a bill related to the report to the 132nd Legislature in 2025.

7 2. It requires the Department of Education, in consultation with the Office of Policy
 8 Innovation and the Future, the Governor's Energy Office, the Efficiency Maine Trust,
 9 relevant state agencies and representatives from school leadership, including
 10 superintendents, business officers and facilities managers, to develop contracting guidance
 11 for public elementary and secondary schools to assist the schools with saving money
 12 through energy efficiency, clean energy and clean transportation projects. No later than
 13 January 31, 2025, the Department of Education must provide a report, including draft
 14 guidance, to the joint standing committees of the Legislature having jurisdiction over
 15 energy matters and education matters. The joint standing committee of the Legislature
 16 having jurisdiction over education matters may report out a bill related to the report to the
 17 132nd Legislature in 2025.

FISCAL NOTE REQUIRED

(See attached)



131st MAINE LEGISLATURE

LD 1606

LR 1104(02)

An Act to Finance Clean Energy and Infrastructure in Maine

Fiscal Note for Bill as Amended by Committee Amendment "A" (LS-570)

Committee: Energy, Utilities and Technology

Fiscal Note Required: Yes

Fiscal Note

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

Fiscal Detail and Notes

Any additional costs to the Department of Education, the Governor's Office of Policy Innovation and the Future, the Governor's Energy Office and the Efficiency Maine Trust from the provisions of this bill are expected to be minor and can be absorbed within existing budgeted resources.