

MAINE STATE LEGISLATURE

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131st MAINE LEGISLATURE

FIRST SPECIAL SESSION-2023

Legislative Document

No. 1658

S.P. 663

In Senate, April 13, 2023

An Act to Verify the Reduction of Global Greenhouse Gas Emissions for Certain Electric Transmission Line Projects

Reference to the Committee on Environment and Natural Resources suggested and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator BENNETT of Oxford.
Cosponsored by Representative GRAMLICH of Old Orchard Beach.

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

2 **Sec. 1. 38 MRSA §487-A, sub-§5** is enacted to read:

3 **5. Nonessential transmission lines; reduction of global greenhouse gas emissions.**

4 Notwithstanding any provision of law to the contrary, a permit issued under this article for
5 a nonessential transmission line is conditioned on the owner of the transmission line, no
6 later than one year after the transmission line achieves commercial operation, submitting
7 to the department documentation, analysis or other information, prepared by an
8 independent 3rd party, that demonstrates to the department's satisfaction that the
9 transmission line and the electricity it transports contributes to the reduction of global
10 greenhouse gas emissions. As used in this subsection, "nonessential transmission line"
11 means a permanently installed transmission line carrying 100 kilovolts or more that is
12 constructed primarily to transport electricity generated outside of the State and that
13 achieves commercial operation after January 1, 2024.

14 A. Failure of the owner of a nonessential transmission line to submit the
15 documentation, analysis or other information that demonstrates to the department's
16 satisfaction that the transmission line and the electricity it transports contributes to the
17 reduction of global greenhouse gas emissions constitutes a violation of the permit
18 issued under this article and the department shall take appropriate action in accordance
19 with section 347-A, which may include, but is not limited to, entry of an administrative
20 consent agreement requiring the owner to pay to the department penalties calculated in
21 proportion to the amount of electricity transported using the transmission line that, in
22 the department's determination, does not contribute to the reduction of global
23 greenhouse gas emissions.

24 B. Notwithstanding any provision of law to the contrary, if pursuant to a violation
25 under paragraph A, the department requires the owner of a nonessential transmission
26 line to pay penalties in accordance with section 347-A or 349, the department shall
27 transfer those penalty amounts to the Efficiency Maine Trust established in Title 35-A,
28 section 10103 for deposit in the Regional Greenhouse Gas Initiative Trust Fund
29 established in Title 35-A, section 10109 or another fund as determined by the
30 department.

31 C. The department shall adopt rules to implement this subsection. Rules adopted
32 pursuant to this paragraph are routine technical rules as defined in Title 5, chapter 375,
33 subchapter 2-A.

34 **SUMMARY**

35 This bill amends the site location of development laws to provide additional
36 requirements applicable to permanently installed transmission lines carrying 100 kilovolts
37 or more of electricity that are constructed primarily to transport electricity generated
38 outside of the State and that achieve commercial operation after January 1, 2024. Those
39 lines are defined in the bill as "nonessential transmission lines." The bill provides that a
40 permit issued under the site location of development laws for a nonessential transmission
41 line is conditioned on the owner of the nonessential transmission line, no later than one
42 year after the transmission line achieves commercial operation, submitting to the
43 Department of Environmental Protection documentation, analysis or other information,
44 prepared by an independent 3rd party, that demonstrates to the department's satisfaction

1 that the transmission line and the electricity it transports contributes to the reduction of
2 global greenhouse gas emissions. Failure to demonstrate that the transmission line and the
3 electricity it transports contributes to the reduction of global greenhouse gas emissions
4 constitutes a violation of the permit for which the department shall take appropriate action,
5 which may include entry of an administrative consent agreement requiring the owner to
6 pay penalty amounts calculated in proportion to the amount of electricity transported using
7 the transmission line that does not contribute to the reduction of global greenhouse gas
8 emissions.