

MAINE STATE LEGISLATURE

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L.D. 307

Date: 3/20/26 REPORT 'A'

(Filing No. H-881)

ENERGY, UTILITIES AND TECHNOLOGY

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
132ND LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 207, L.D. 307, "An Act Regarding Energy, Utilities and Technology"

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

'An Act to Establish the Maine Data Center Coordination Council and Place a Temporary Limitation on Certain Data Centers'

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

'Sec. 1. Temporary limitation on certain data centers. Notwithstanding any provision of law to the contrary, prior to November 1, 2027, a municipality, a quasi-independent state entity or any agency of the State may not accept an application for or issue a permit, certificate or other approval for the development, construction or operation of a data center with a load of 20 megawatts or more. For the purposes of this section, "data center" means any facility in the State, which may be a freestanding structure or a facility within a larger structure, that primarily contains electronic equipment used to process, store and transmit digital information that uses environmental control equipment to maintain the proper conditions for the operation of electronic equipment.

This section is repealed November 1, 2027.

Sec. 2. Establishment of Maine Data Center Coordination Council. The Department of Energy Resources shall convene the Maine Data Center Coordination Council, referred to in this legislation as "the council," to provide strategic input, facilitate coordinated state planning considerations and evaluate policy tools to address data center opportunities and related benefits and risks to the State. For the purposes of this section, "data center" means any facility in the State, which may be a freestanding structure or a facility within a larger structure, that primarily contains electronic equipment used to process, store and transmit digital information that uses environmental control equipment to maintain the proper conditions for the operation of electronic equipment.

- 1 1. The council shall evaluate issues related to data centers located or proposed to be
- 2 located in the State, with the goals of protecting ratepayers, maintaining electric grid
- 3 reliability, minimizing environmental impacts and enabling responsible and appropriately
- 4 sited economic development. In conducting its evaluation, the council shall consider the
- 5 State's policy goals related to renewable energy in the Maine Revised Statutes, Title 35-A,
- 6 section 3210, greenhouse gas reduction objectives, including those in Title 38, section
- 7 576-A, goals for broadband service established in Title 35-A, section 9202-A, the state
- 8 economic development strategy and the legislative findings described in Title 38, section
- 9 480-A. In carrying out its work, the council shall:
 - 10 A. Review and consider legislation related to data centers that has been considered or
 - 11 adopted in other states;
 - 12 B. Evaluate projections of electric load growth, infrastructure needs and system
 - 13 reliability and resource adequacy impacts associated with data centers in the State and
 - 14 the ISO-New England region;
 - 15 C. Identify strategies to protect ratepayers from rate inflation or negative financial
 - 16 effects resulting from data centers, including, but not limited to, cost allocation
 - 17 approaches, rate design changes, impact fees, efficiency standards, energy supply
 - 18 obligations and demand response and load flexibility during periods of high demand
 - 19 or grid emergencies;
 - 20 D. Review applicability of existing state programs and financial tools to data centers;
 - 21 E. Assess potential environmental and natural resource impacts, including, but not
 - 22 limited to, water use, emissions, land use and other impacts on host communities, and
 - 23 identify strategies to minimize adverse impacts;
 - 24 F. Consider data-sharing requirements and processes for proposed data centers,
 - 25 including use of nondisclosure agreements and identify information essential to grid
 - 26 operators, electric utilities, state agencies and policy makers regarding electric load,
 - 27 peak demand, water use and other operational characteristics necessary to inform state
 - 28 and local planning;
 - 29 G. Offer guidance to assist municipalities in assessing potential data center impacts
 - 30 and benefits, including the use of community benefit agreements; and
 - 31 H. Develop recommendations to clarify roles, responsibilities, information-sharing
 - 32 practices and timelines among state agencies, utilities, municipalities and other
 - 33 governmental entities to support coordinated, timely and well-informed responses to
 - 34 data center development inquiries.
- 35 2. The Commissioner of Energy Resources or the commissioner's designee shall serve
- 36 as chair of the council. The council must include the following additional 13 members:
 - 37 A. The Director of the Maine Office of Community Affairs or the director's designee;
 - 38 B. The Commissioner of Economic and Community Development or the
 - 39 commissioner's designee;
 - 40 C. The Public Advocate or the Public Advocate's designee;
 - 41 D. The chair of the Public Utilities Commission or the chair's designee;
 - 42 E. The president of the Maine Connectivity Authority or the president's designee;

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- 1 F. The Commissioner of Environmental Protection or the commissioner's designee;
- 2 G. A representative of the Maine Municipal Association appointed by the
- 3 Commissioner of Energy Resources;
- 4 H. The executive director of the Wabanaki Alliance or the executive director's
- 5 designee;
- 6 I. One representative each from the 2 investor-owned transmission and distribution
- 7 utilities in the State and one representative of the interests of cooperative and
- 8 municipally owned utilities in the State appointed by the Commissioner of Energy
- 9 Resources;
- 10 J. One representative of an environmental advocacy organization appointed by the
- 11 Commissioner of Energy Resources; and
- 12 K. One representative of a labor organization appointed by the Commissioner of
- 13 Energy Resources.

14 The Commissioner of Energy Resources or the commissioner's designee may invite
15 additional agency representatives, experts or stakeholders to provide comment or provide
16 assistance to the council as the commissioner determines appropriate to address technical,
17 economic and environmental factors of data center development.

18 3. The council shall hold at least 5 meetings. The council shall provide an opportunity
19 for public comment on the council's draft findings prior to submitting the final strategy
20 report described in subsection 4.

21 4. By February 1, 2027, the council shall submit a final strategy report with the findings
22 of its evaluation and any recommendations, including any proposed legislation, to the
23 Governor and the joint standing committee of the Legislature having jurisdiction over
24 energy matters. The committee may report out a bill related to the report to the 133rd
25 Legislature in 2027.

26 **Sec. 3. Appropriations and allocations.** The following appropriations and
27 allocations are made.

28 **ENERGY RESOURCES, DEPARTMENT OF**
29 **Department of Energy Resources Z424**

30 Initiative: Provides one-time funding for contracted technical and facilitation support for
31 the Maine Data Center Coordination Council.

32 GENERAL FUND	2025-26	2026-27
33 All Other	\$0	\$95,000
34		
35 GENERAL FUND TOTAL	\$0	\$95,000

36
37 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section
38 number to read consecutively.

COMMITTEE AMENDMENT

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SUMMARY

This amendment replaces the bill, which is a concept draft, and changes the title. It requires the Department of Energy Resources to convene the Maine Data Center Coordination Council to provide strategic input, facilitate coordinated state planning considerations and evaluate policy tools to address data center opportunities and related benefits and risks to the State. By February 1, 2027, the council is required to submit a final strategy report, including the findings of its evaluation and recommendations, to the Governor and the joint standing committee of the Legislature having jurisdiction over energy matters. The amendment also prohibits a municipality, a quasi-independent state entity or any agency of the State, prior to November 1, 2027, from accepting an application for or issuing a permit, certificate or other approval for the development, construction or operation of a data center with a load of 20 megawatts or more.

FISCAL NOTE REQUIRED
(See attached)



132nd MAINE LEGISLATURE

LD 307

LR 1521(02)

An Act Regarding Energy, Utilities and Technology

Fiscal Note for Bill as Amended by Committee Amendment "A" (H-881)
 Committee: Energy, Utilities and Technology
 Fiscal Note Required: Yes

Fiscal Note

	FY 2025-26	FY 2026-27	Projections FY 2027-28	Projections FY 2028-29
Net Cost (Savings)				
General Fund	\$0	\$95,000	\$0	\$0
Appropriations/Allocations				
General Fund	\$0	\$95,000	\$0	\$0

Fiscal Detail and Notes

This bill requires the Department of Energy Resources (DOER) to convene the Maine Data Center Coordination Council to evaluate planning considerations for data center development in the State and submit a report of its findings. DOER has indicated that these responsibilities will require additional resources. The bill includes a one-time General Fund appropriation of \$95,000 in fiscal year 2026-27 to DOER for contracted technical and facilitation support.

Additional costs to state agencies for participation in the council are expected to be minor and can be absorbed within existing budgeted resources.