

MAINE STATE LEGISLATURE

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Date: 3/24/26

(Filing No. S-564)

MAJORITY

ENERGY, UTILITIES AND TECHNOLOGY

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STATE OF MAINE

SENATE

132ND LEGISLATURE

SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 371, L.D. 838, "An Act to Explore Public Financing and Ownership of Electric Transmission and Distribution Infrastructure"

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

'Resolve, to Establish the Commission to Study Options for Public Financing of Transmission and Distribution Infrastructure, Generation Projects and Energy Storage Projects'

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

Sec. 1. Commission established. Resolved: That the Commission to Study Options for Public Financing of Transmission and Distribution Infrastructure, Generation Projects and Energy Storage Projects, referred to in this resolve as "the commission," is established.

Sec. 2. Commission membership. Resolved: That, notwithstanding Joint Rule 353, the commission consists of 13 members as follows:

- 1. Five members appointed by the President of the Senate as follows:
A. Two members of the Senate, including one member of the party holding the largest number of seats in the Legislature and one member of the party holding the 2nd largest number of seats in the Legislature;
B. One member representing an investor-owned transmission and distribution utility in the State;
C. One member representing the New England independent system operator; and
D. One member representing small private landowners in the State;
2. Five members appointed by the Speaker of the House of Representatives as follows:
A. Two members of the House of Representatives, including one member of the party holding the largest number of seats in the Legislature and one member of the party holding the 2nd largest number of seats in the Legislature;

COMMITTEE AMENDMENT

- 1 B. One individual representing a group that represents organized labor engaged in the
- 2 building trades;
- 3 C. One member with expertise in the issuance of public bonds; and
- 4 D. One member representing the Wabanaki Alliance;
- 5 3. The Commissioner of Energy Resources or the commissioner's designee;
- 6 4. The chair of the Public Utilities Commission or the chair's designee; and
- 7 5. The Public Advocate or the Public Advocate's designee.

8 **Sec. 3. Chairs. Resolved:** That the first-named Senate member is the Senate chair
 9 and the first-named House of Representatives member is the House chair of the
 10 commission.

11 **Sec. 4. Appointments; convening of commission. Resolved:** That all
 12 appointments must be made no later than 30 days following the effective date of this
 13 resolve. The appointing authorities shall notify the Executive Director of the Legislative
 14 Council once all appointments have been completed. After appointment of all members,
 15 the chairs shall call and convene the first meeting of the commission. If 30 days or more
 16 after the effective date of this resolve a majority of but not all appointments have been
 17 made, the chairs may request authority and the Legislative Council may grant authority for
 18 the commission to meet and conduct its business.

19 **Sec. 5. Duties. Resolved:** That the commission shall:

- 20 1. Review any reports commissioned by the Department of Energy Resources related
- 21 to public development and public lending in the energy sector issued after January 1, 2026
- 22 and, to the greatest extent practicable, consider the findings in the report as it conducts its
- 23 work;
- 24 2. Identify and evaluate governmental and quasi-governmental entities established in
- 25 this State and other states that:
 - 26 A. Oversee the financing for the build-out of transmission and distribution
 - 27 infrastructure, generation projects and energy storage projects; and
 - 28 B. Issue revenue bonds and provide public financing for transmission and distribution
 - 29 infrastructure, generation projects and energy storage projects;
- 30 3. Examine approaches to public financing used by other states, including an evaluation
- 31 of challenges, advantages and disadvantages of public financing of transmission and
- 32 distribution infrastructure, generation projects and energy storage projects;
- 33 4. Evaluate the types of projects for which a governmental or quasi-governmental
- 34 entity could provide financing to most effectively reduce costs for ratepayers, including,
- 35 but not limited to, transmission and distribution infrastructure, generation projects and
- 36 energy storage projects;
- 37 5. Determine what labor standards would be appropriate for projects for which a
- 38 governmental or quasi-governmental entity could provide financing, including, but not
- 39 limited to, transmission and distribution infrastructure, generation projects and energy
- 40 storage projects, to ensure that those projects provide high-quality jobs and apprenticeship
- 41 opportunities for workers in the State and prioritize project worker safety;

1 6. Identify powers that would be necessary for a governmental or quasi-governmental
2 entity to most efficiently facilitate public financing of transmission and distribution
3 infrastructure, generation projects and energy storage projects while ensuring protections
4 for landowners who may be impacted by financed projects, including, but not limited to,
5 the power of eminent domain; and

6 7. Consider whether any governmental or quasi-governmental entities in the State are
7 able to provide public financing for transmission and distribution infrastructure, generation
8 projects and energy storage projects in a way that provides a reduction in ratepayer costs,
9 ensures appropriate labor standards, as described in subsection 5, and provides landowner
10 protections, as described in subsection 6, and, if there are no such entities, the steps the
11 State must take to establish such an entity.

12 **Sec. 6. Staff assistance. Resolved:** That the Legislative Council shall provide
13 necessary staffing services to the commission, except that Legislative Council staff support
14 is not authorized when the Legislature is in regular or special session.

15 **Sec. 7. Report. Resolved:** That, notwithstanding Joint Rule 353, no later than
16 December 2, 2026, the commission shall submit a report to the joint standing committee of
17 the Legislature having jurisdiction over energy matters that includes the commission's
18 findings and recommendations. The committee may report out legislation related to the
19 report to the 133rd Legislature in 2027.'

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

22 **SUMMARY**

23 This amendment replaces the bill, which is a concept draft, with a resolve. The
24 amendment creates the Commission to Study Options for Public Financing of Transmission
25 and Distribution Infrastructure, Generation Projects and Energy Storage Projects. The
26 commission is charged with examining various aspects of public financing of energy
27 projects, including approaches to public financing used by other states. By December 2,
28 2026, the commission must submit a report to the joint standing committee of the
29 Legislature having jurisdiction over energy matters that includes study findings and
30 recommendations for public financing of transmission and distribution infrastructure,
31 generation projects and energy storage projects. The committee may report out legislation
32 related to the report to the 133rd Legislature in 2027.

33 **FISCAL NOTE REQUIRED**

34 (See attached)



132nd MAINE LEGISLATURE

LD 838

LR 1982(02)

An Act to Explore Public Financing and Ownership of Electric Transmission and Distribution Infrastructure

Fiscal Note for Bill as Amended by Committee Amendment "A" (S. Stole)
Committee: Energy, Utilities and Technology
Fiscal Note Required: Yes

Fiscal Note

Legislative Cost/Study

Legislative Cost/Study

The general operating expenses of this study are projected to be \$3,050 in fiscal year 2026-27. The Legislature's budget for the 2026-2027 biennium includes \$7,253 in fiscal year 2025-26 and \$17,696 in fiscal year 2026-27 for the costs of legislative studies, as well as \$41,338 of balances carried over from prior fiscal years for this purpose. Whether these amounts are sufficient to fund all studies will depend on the number of studies authorized by the Legislative Council and the Legislature. The additional costs of providing staffing assistance to the study during the interim can be absorbed utilizing existing budgeted staff resources.

Fiscal Detail and Notes

Any additional costs to State departments and agencies designated for participation in the work of the commission are expected to be minor and can be absorbed within existing budgeted resources.