

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE**

**SECOND SPECIAL SESSION**  
**June 19, 2018 to September 13, 2018**

**THE GENERAL EFFECTIVE DATE FOR**  
**SECOND SPECIAL SESSION**  
**NON-EMERGENCY LAWS IS**  
**DECEMBER 13, 2018**

**ONE HUNDRED AND TWENTY-NINTH LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 5, 2018 to June 20, 2019**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 19, 2019**

**PUBLISHED BY THE REVISOR OF STATUTES**  
**IN ACCORDANCE WITH THE MAINE REVISED STATUTES ANNOTATED,**  
**TITLE 3, SECTION 163-A, SUBSECTION 4.**

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**Augusta, Maine**  
**2019**

- B. The Joint Standing Committee on Health and Human Services; and
  - C. The Joint Standing Committee on Innovation, Development, Economic Advancement and Business;
3. Two members of the public who represent low-wage workers and recipients of public benefits, appointed by the President of the Senate;
  4. One member of the public who represents business and industry, appointed by the Speaker of the House;
  5. One member who represents higher education, appointed by the Speaker of the House; and
  6. One member who represents a trade union, appointed by the Governor.

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

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

**Sec. 5. Duties. Resolved:** That the committee shall examine and make recommendations on the feasibility of providing basic economic security through a direct cash payment system and other programs that are designed to help individuals and families become more economically secure, including, but not limited to:

1. Tax rebates and credits, including strengthening the earned income tax credit and a negative income tax;
2. Universal basic income and unconditional cash transfers to residents of the State; and
3. Other direct cash benefit programs.

The committee shall also investigate the effectiveness of existing safety net programs, such as tax credit, child care and food supplement programs, and compare those programs to any recommended direct cash payment programs.

In fulfilling its duties under this section, the committee shall as necessary invite input from the Department of Administrative and Financial Services,

Bureau of Revenue Services and from the Governor's Office of Policy and Management.

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

**Sec. 7. Report. Resolved:** That, no later than November 4, 2020, the committee shall submit a report that includes its findings and recommendations, including suggested legislation, for presentation to the First Regular Session of the 130th Legislature.

**Sec. 8. Outside funding. Resolved:** That the committee shall seek funding contributions to fully fund the costs of the study. All funding is subject to approval by the Legislative Council in accordance with its policies. If sufficient contributions to fund the study have not been received within 30 days after the effective date of this resolve, no meetings are authorized and no expenses of any kind may be incurred or reimbursed.

See title page for effective date.

**CHAPTER 83**

**H.P. 1166 - L.D. 1614**

**Resolve, Establishing the Commission To Study the Economic, Environmental and Energy Benefits of Energy Storage to the Maine Electricity Industry**

**Sec. 1. Commission To Study the Economic, Environmental and Energy Benefits of Energy Storage to the Maine Electricity Industry established. Resolved:** That the Commission To Study the Economic, Environmental and Energy Benefits of Energy Storage to the Maine Electricity Industry, referred to in this resolve as "the commission," is established.

**Sec. 2. Membership. Resolved:** That, notwithstanding Joint Rule 353, the commission consists of 14 members appointed as follows:

1. Two members of the Senate appointed by the President of the Senate, including a member from each of the 2 parties holding the largest number of seats in the Legislature;
2. Three members of the House of Representatives appointed by the Speaker of the House, including members from each of the 2 parties holding the largest number of seats in the Legislature;

3. Four public members, one of whom must be from the northern part of the State, appointed by the President of the Senate as follows:

- A. A representative of the energy storage industry;
- B. A representative of the hydroelectric energy storage industry;
- C. A representative of an electric utility in the State; and
- D. An academic in the field of energy storage;

4. Four public members appointed by the Speaker of the House as follows:

- A. A representative of a conservation organization;
- B. A representative of a business that uses significant electric power in the State;
- C. A representative of a large-scale energy storage owner; and
- D. A representative of a small-scale energy storage owner; and

5. The Public Advocate or the Public Advocate's designee.

**Sec. 3. Commission chairs. Resolved:** That the first-named Senator is the Senate chair of the commission and the first-named member of the House is the House chair of the commission.

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

**Sec. 5. Duties. Resolved:** That the commission shall hold at least 4 meetings and shall:

1. Review and evaluate the economic, environmental and energy benefits of energy storage to the State's electricity industry, as well as public policy and economic proposals to create and maintain a sustainable future for energy storage in the State;

2. Consider the challenges of the broad electricity market in the State, including challenges with transmission and stranded renewable energy generation in the northern part of the State, and analyze whether energy storage is part of the transmission solution;

3. Consider whether the environmental, economic, resiliency and energy benefits of energy storage support updating the State's energy policy to strengthen and increase the role of energy storage throughout the State;

4. Consider the economic benefits of energy storage systems procurement targets, including benefits of cost savings to ratepayers from the provision of services, including energy price arbitrage, capacity, ancillary services and transmission and distribution asset deferral or substitution; direct cost savings to ratepayers that deploy energy storage systems; an improved ability to integrate renewable resources; improved reliability and power quality; the effect on retail electric rates over the life of a given energy storage system compared to the effect on retail electric rates using a nonenergy storage system alternative over the life of the nonenergy storage system alternative; reduced greenhouse gas emissions; and any other value reasonably related to the application of energy storage system technology and compare those economic benefits to the effects of leaving current policies in place;

5. Review economically efficient and effective implementation approaches to energy storage targets;

6. Consider bring-your-own-device programs that offer credits for sharing stored energy with electric utilities and storm outage and response management programs for behind-the-meter energy storage to reduce peak reduction and increase resiliency; and

7. Examine any other issues to further the purposes of the study.

In conducting the duties under this section, the commission shall seek public input and shall consult and collaborate with stakeholders and experts in the fields of economic development, natural resources and energy policy.

**Sec. 6. Staff assistance. Resolved:** That, notwithstanding Joint Rule 353, the Legislative Council shall provide necessary staffing services to the commission, except that Legislative Council staff support is not authorized when the Legislature is in regular or special session.

**Sec. 7. Report. Resolved:** That, no later than December 4, 2019, the commission shall submit a report to the Joint Standing Committee on Energy, Utilities and Technology that includes its findings and recommendations, including suggested legislation. The report may consider a review of economically efficient and effective implementation approaches for energy storage targets. The suggested legislation must include, but is not limited to, adopting procurement targets for the State for energy storage systems, both behind a customer meter and connected to transmission and distribution facilities, if proven beneficial for ratepayers in the cost-benefit analysis under section 5.

See title page for effective date.

**CHAPTER 84**

**S.P. 556 - L.D. 1691**

**Resolve, Directing the Board of Pesticides Control To Work with the Forest Products Industry To Monitor Aerial Herbicide Applications**

**Sec. 1. Monitoring of aerial herbicide applications. Resolved:** That the Board of Pesticides Control, established in the Maine Revised Statutes, Title 22, section 1471-B, shall work with representatives of the forest products industry who conduct aerial application of herbicides for the purpose of silviculture, including reforestation, regeneration or vegetation control, to monitor aerial applications of herbicides through a neutral 3rd-party entity determined by the board. The one-time monitoring of aerial applications required under this section is contingent upon the receipt of outside funds for this purpose. The board shall report to the Joint Standing Committee on Agriculture, Conservation and Forestry with findings and recommendations related to the monitoring of aerial herbicide application no later than February 1, 2020. The monitoring of aerial applications of herbicides must conclude upon submission of the report to the joint standing committee. The joint standing committee may submit a bill relating to the subject matter of the report to the Second Regular Session of the 129th Legislature.

See title page for effective date.

**CHAPTER 85**

**S.P. 594 - L.D. 1762**

**Resolve, Authorizing the Transfer of a Plot of Land from the State to the Town of Allagash**

**Preamble.** The Constitution of Maine, Article IX, Section 23 requires that real estate held by the State for conservation or recreation purposes may not be reduced or its uses substantially altered except on the vote of 2/3 of all members elected to each House.

**Whereas,** the land authorized for transfer by this resolve is within the designations in the Maine Revised Statutes, Title 12, section 598-A; and

**Whereas,** the Director of the Bureau of Parks and Lands within the Department of Agriculture, Conservation and Forestry may sell, lease or exchange lands with the approval of the Legislature in accord-

ance with the Maine Revised Statutes, Title 12, sections 1814, 1837 and 1851; now, therefore, be it

**Sec. 1. Director of Bureau of Parks and Lands to convey land. Resolved:** That the Director of the Bureau of Parks and Lands within the Department of Agriculture, Conservation and Forestry shall offer to convey by quitclaim deed with covenant, at the cost of \$1,500, to the Town of Allagash, County of Aroostook for the establishment of a fueling facility for the local logging industry and off-road recreational vehicles, including, but not limited to, snowmobiles and all-terrain vehicles, the parcel of land situated on Route 161, otherwise known as Allagash Road, and Old Route 161 in the Town of Allagash and described in the records of the bureau as the Allagash Southeast project, Original Reservation parcel and having identification number 86-2298. The use of the property is restricted to the operation of a fueling facility and if at any time the property following conveyance is no longer used for the purpose as provided under this section, the title reverts to the State of Maine without cost and, upon request of the State of Maine, the site must be restored to its condition at the time of conveyance by the owners at their own cost. If the Town of Allagash does not establish a fueling facility as described by September 1, 2020, the title reverts to the State of Maine without cost and, upon request of the State of Maine, the site must be restored to its condition at the time of conveyance by the owners at their own cost.

**Sec. 2. Appropriations and allocations. Resolved:** That the following appropriations and allocations are made.

**AGRICULTURE, CONSERVATION AND FORESTRY, DEPARTMENT OF**

**Land Management and Planning Z239**

Initiative: Provides allocation for expenditures related to road building and road maintenance on public reserved lands.

OTHER SPECIAL REVENUE FUNDS	2019-20	2020-21
All Other	\$1,500	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,500	\$0

See title page for effective date.