

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND THIRTIETH LEGISLATURE

FIRST REGULAR SESSION
December 2, 2020 to March 30, 2021

FIRST SPECIAL SESSION
April 28, 2021 to July 19, 2021

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
JUNE 29, 2021

THE GENERAL EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
NON-EMERGENCY LAWS IS
OCTOBER 18, 2021

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

Augusta, Maine
2021

B. "Disposable food service container" does not include polystyrene foam coolers or ice chests that are used for the processing or shipping of seafood or service ware used to contain, transport or otherwise package raw, uncooked or butchered meat, poultry, fish, seafood or eggs.

This subsection is repealed July 1, 2025.

Sec. 2. 38 MRSA §1571, sub-§3-A is enacted to read:

3-A. Disposable food service container. "Disposable food service container" means service ware designed for one-time use.

A. "Disposable food service container" includes service ware for take-out foods, bakery products, leftovers from partially consumed meals prepared by covered establishments and, except as provided in paragraph B, service ware used to contain, transport or otherwise package raw, uncooked or butchered meat, poultry, fish, seafood or eggs.

B. "Disposable food service container" does not include polystyrene foam coolers or ice chests that are used for the processing or shipping of seafood.

This subsection is effective July 1, 2025.

Sec. 3. 38 MRSA §1571, sub-§6, as enacted by PL 2019, c. 62, §1, is amended to read:

6. Service ware. "Service ware" means a container, bowl, plate, tray, carton, cup, lid, sleeve, stirrer or other item designed to be used to contain, transport, serve or consume prepared foods food or beverages.

Sec. 4. 38 MRSA §1572, sub-§3, ¶C, as enacted by PL 2019, c. 62, §1, is amended to read:

C. Sell at retail food or beverages in or on a disposable food service container that is composed in whole or in part of polystyrene foam that the covered establishment purchases prepackaged at wholesale.

This paragraph is repealed July 1, 2025.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

Effective June 15, 2021.

CHAPTER 209
H.P. 269 - L.D. 385

An Act To Resolve Conflicts in and Make Other Changes to the Laws Governing the Efficiency Maine Trust

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

Sec. 1. 35-A MRSA §10104, sub-§4, ¶F, as amended by PL 2019, c. 313, §5 and c. 476, §4, is repealed and the following enacted in its place:

F. It is an objective of the triennial plan to design, coordinate and integrate sustained energy efficiency and weatherization programs that are available to all energy consumers in the State and to users of all fuel types. The plan must set forth the costs and benefits of the trust's programs that advance the following goals and funding necessary to meet those goals:

(1) Reducing energy costs, including residential heating costs;

(2) For the period beginning January 1, 2020 and ending January 1, 2030, weatherizing 35,000 homes and businesses, with at least 10,000 of such weatherization projects completed in low-income households through the combined efforts of the trust and the Maine State Housing Authority;

(3) Reducing peak-load demand for electricity by the maximum achievable cost-effective amount;

(4) Achieving the maximum achievable cost-effective electricity and natural gas program savings, as defined in and determined pursuant to the performance metrics approved by the commission under section 10120;

(5) Creating stable private sector jobs providing alternative energy and energy efficiency products and services in the State;

(6) Contributing to the effort to reduce greenhouse gas emissions in the State by amounts consistent with the greenhouse gas emission levels established in Title 38, section 576-A and in a manner consistent with the State's climate action plan adopted and updated under Title 38, section 577;

(7) Promoting the purchase of high-efficiency heat pump systems to achieve by 2030 the goal of at least 115,000 households in the State wholly heated by heat pumps and an additional 130,000 households in the State partially heated by heat pumps; and

(8) Promoting the purchase of battery electric vehicles and plug-in hybrid vehicles to achieve by 2030 the goal of at least 120,000 such vehicles registered in the State.

Sec. 2. 35-A MRSA §10104, sub-§4, ¶G, as enacted by PL 2019, c. 298, §21 and c. 313, §5, is repealed and the following enacted in its place:

G. In developing the triennial plan, or an annual update plan under subsection 6, the trust may include, as part of its budget for electric efficiency

and conservation programs under section 10110, the costs of providing nonwires alternatives in accordance with section 3132-D.

Sec. 3. 35-A MRSA §10104, sub-§4, ¶H is enacted to read:

H. After the triennial plan is approved, the trust or any party to the triennial plan may petition for, or the commission may initiate on its own, consideration of revising the calculations of avoided energy costs used in the determination of maximum achievable cost-effective energy efficiency resources pursuant to section 10110, subsection 4-A or section 10111, subsection 2 upon a showing that, subsequent to the publication of the avoided energy cost study relied upon, changes in price forecasts would result in more than a 25% change in the value of avoided energy cost affecting a significant portion of the program activity in the triennial plan.

Sec. 4. 35-A MRSA §10110, sub-§1, ¶C, as amended by PL 2019, c. 306, §4 and c. 365, §2, is repealed and the following enacted in its place:

C. "Conservation programs" means programs developed by the trust pursuant to this section designed to reduce inefficient electricity use or to increase the efficiency with which electricity is used.

Sec. 5. 35-A MRSA §10110, sub-§4-A, ¶A, as amended by PL 2019, c. 306, §5 and c. 313, §8, is repealed and the following enacted in its place:

A. Consider electric energy efficiency resources that are reasonably foreseeable to be acquired by the trust using the Regional Greenhouse Gas Initiative Trust Fund under section 10109, federal or state grants or settlement funds designated by the board for programs implemented under this section, except that forward capacity market payments deposited in the Heating Fuels Efficiency and Weatherization Fund established in section 10119 may not be considered;

Sec. 6. 35-A MRSA §10113, as enacted by PL 2009, c. 372, Pt. B, §3, is amended to read:

§10113. Training for installers of solar energy equipment

1. Installation training. To the extent that funds and resources allow, the trust shall may establish training programs for installers of solar energy equipment that most effectively meet the needs of the public. The trust:

A. May develop separate programs for different solar energy technologies or applications services when the trust determines that the skills or training for the installation of those technologies or applications services merit the distinction;

A-1. May offer training programs to code enforcement officers, inspectors or other professionals involved in designing, marketing, regulating or educating about energy equipment;

A-2. May offer training programs to contractors or other professionals involved in designing, installing or constructing energy efficiency, weatherization or other building performance measures for homes and businesses;

B. Shall confer with the Plumbers' Examining Board and the Electricians' Examining Board relevant professional licensing boards and the Technical Building Codes and Standards Board under Title 10, section 9722 when it develops the course content and requirements;

C. Shall determine the content of the training, the hours required for course completion and the manner in which applicants must demonstrate proficiency in solar energy equipment installation;

D. Shall May issue a certificate of completion to individuals who meet the requirements the trust has established;

E. May establish reasonable course fees. All fees must be paid to the Treasurer of State trust to be used by the trust for the purposes of this section;

F. Shall determine terms for the expiration and renewal of an applicant's certificate of completion; and

G. Shall determine an appropriate means of maintaining recognition of the training received by persons holding certificates issued pursuant to former section 10002 or former Title 32, chapter 87.

2. Qualifications for installing solar energy equipment. A certificate of completion issued by the trust pursuant to subsection 1 does not exempt the holder from any applicable licensing requirements for activities involved in installing solar energy equipment, including but not limited to licensing requirements established in Title 32, chapter 17 or 49.

3. Effective date. This section takes effect July 1, 2010.

See title page for effective date.

CHAPTER 210

H.P. 570 - L.D. 765

An Act To Provide for Judicial Review in Compliance with the Federal Family First Prevention Services Act

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