

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND THIRTY-FIRST LEGISLATURE

SECOND REGULAR SESSION
January 3, 2024 to May 10, 2024

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
AUGUST 9, 2024

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

Augusta, Maine
2024

The prohibitions in sections 2023 and 2024 do not apply to law enforcement entities, such as the State Police, a county sheriff's office and local law enforcement departments, to the extent the prohibitions restrict a law enforcement entity's ability to protect the public or investigate criminal activity.

§2028. Waiver of prohibitions; executive branch

Upon written request from a state agency, the Chief Information Officer may waive the prohibitions imposed in sections 2023 and 2024 as long as the waiver does not pose a national security risk or a risk to the security and safety of persons of the United States.

§2029. Waiver of prohibitions; legislative branch

The Legislative Council, established in Title 3, section 161, or its designee, may waive the prohibitions imposed in sections 2023 and 2024 as long as the waiver does not pose a national security risk or a risk to the security and safety of persons of the United States.

§2030. Waiver of prohibitions; judicial branch

The State Court Administrator under Title 4, section 15, or the State Court Administrator's designee, may waive the prohibitions imposed in sections 2023 and 2024 as long as the waiver does not pose a national security risk or a risk to the security and safety of persons of the United States.

§2030-A. Certification required; civil violation

A person that submits a bid or proposal for a contract with the State for goods or services shall certify that the person is not a foreign adversary business entity. A person that submits a false certification under this section commits a civil violation for which a fine may be adjudged in an amount that is twice the amount of the contract for which the bid or proposal was submitted or \$250,000, whichever is greater.

§2030-B. Contracts void

The following contracts entered into by a state agency on or after the effective date of this chapter are void:

1. Foreign adversary business entity. A contract with a foreign adversary business entity;

2. Prohibited company. A contract with a company included on the list of prohibited companies established and maintained by the Chief Information Officer pursuant to section 2022, subsection 1 that was not granted a waiver under section 2028; and

3. Prohibited information or communications technology or services. A contract to purchase information or communications technology or services included on the list of prohibited information or communications technology or services established and maintained by the Chief Information Officer pursuant to section 2022, subsection 2 that was not granted a waiver under section 2028.

§2030-C. Rules

The department may adopt rules to implement this chapter. Rules adopted pursuant to this section are routine technical rules as defined in chapter 375, subchapter 2-A.

See title page for effective date.

CHAPTER 682

H.P. 725 - L.D. 1153

**An Act Regarding Municipal
Taxation of Certain Solar
Energy Equipment**

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

Sec. 1. 36 MRSA §655, sub-§1, ¶T, as amended by PL 2019, c. 440, §2, is further amended to read:

T. Trail-grooming equipment registered under Title 12, section 13113; ~~and~~

Sec. 2. 36 MRSA §655, sub-§1, ¶U, as amended by PL 2021, c. 181, Pt. C, §2, is further amended to read:

U. Solar and wind energy equipment that generates heat or electricity if all of the energy is:

(1) Used on the site where the property is located; or

(2) Transmitted through the facilities of a transmission and distribution utility; and a utility customer or customers receive a utility bill credit for the energy generated by the equipment pursuant to Title 35-A.

On or before April 1st of the first property tax year for which a taxpayer claims an exemption under this paragraph, the taxpayer claiming the exemption shall file a report with the assessor. The report must identify the property for which the exemption is claimed and must be made on a form prescribed by the State Tax Assessor or a substitute form approved by the State Tax Assessor. The State Tax Assessor shall furnish copies of the form to each municipality in the State and make the forms available to taxpayers.

This paragraph applies to solar energy equipment for property tax years beginning before April 1, 2025; and

Sec. 3. 36 MRSA §655, sub-§1, ¶V is enacted to read:

V. For property tax years beginning on or after April 1, 2025, solar energy equipment that generates heat or electricity if:

(1) All of the energy is used on the site where the property is located;

(2) The equipment is collocated with a net energy billing customer that is or net energy billing customers that are subscribed to at least 50% of the facility's output; or

(3) All of the energy is transmitted through the facilities of a transmission and distribution utility and a utility customer or customers receive a utility bill credit for the energy generated by the equipment pursuant to Title 35-A, section 3209-A or 3209-B and the generator of electricity entered into a fully executed interconnection agreement with a transmission and distribution utility prior to June 1, 2024.

On or before April 1st of the first property tax year for which a taxpayer claims an exemption under this paragraph, the taxpayer claiming the exemption shall file a report with the assessor. The report must identify the property for which the exemption is claimed and must be made on a form prescribed by the State Tax Assessor or a substitute form approved by the State Tax Assessor. The State Tax Assessor shall furnish copies of the form to each municipality in the State and make the forms available to taxpayers.

Sec. 4. 36 MRSA §656, sub-§1, ¶K, as amended by PL 2021, c. 181, Pt. C, §3, is further amended to read:

K. Solar and wind energy equipment that generates heat or electricity if all of the energy is:

(1) Used on the site where the property is located; or

(2) Transmitted through the facilities of a transmission and distribution utility, and a utility customer or customers receive a utility bill credit for the energy generated by the equipment pursuant to Title 35-A.

On or before April 1st of the first property tax year for which a taxpayer claims an exemption under this paragraph, the taxpayer claiming the exemption shall file a report with the assessor. The report must identify the property for which the exemption is claimed and must be made on a form prescribed by the State Tax Assessor or a substitute form approved by the State Tax Assessor. The State Tax Assessor shall furnish copies of the form to each municipality in the State and make the forms available to taxpayers.

This paragraph applies to solar energy equipment for property tax years beginning before April 1, 2025.

Sec. 5. 36 MRSA §656, sub-§1, ¶L is enacted to read:

L. For property tax years beginning on or after April 1, 2025, solar energy equipment that generates heat or electricity if:

(1) All of the energy is used on the site where the property is located;

(2) The equipment is collocated with a net energy billing customer that is or net energy billing customers that are subscribed to at least 50% of the facility's output; or

(3) All of the energy is transmitted through the facilities of a transmission and distribution utility and a utility customer or customers receive a utility bill credit for the energy generated by the equipment pursuant to Title 35-A, section 3209-A or 3209-B and the generator of electricity entered into a fully executed interconnection agreement with a transmission and distribution utility prior to June 1, 2024.

On or before April 1st of the first property tax year for which a taxpayer claims an exemption under this paragraph, the taxpayer claiming the exemption shall file a report with the assessor. The report must identify the property for which the exemption is claimed and must be made on a form prescribed by the State Tax Assessor or a substitute form approved by the State Tax Assessor. The State Tax Assessor shall furnish copies of the form to each municipality in the State and make the forms available to taxpayers.

Sec. 6. State Tax Assessor duties. By January 1, 2025, the State Tax Assessor shall update the Department of Administrative and Financial Services, Bureau of Revenue Services' solar energy equipment exemption information bulletin to reflect any changes made to relevant laws after December 31, 2023. The assessor shall also establish a general method of valuation for commercial solar arrays similar to the general method of valuation for residential solar arrays and include information about the method of valuation in the bulletin. To update the bulletin, the assessor shall consult with municipal assessors, members of the solar industry and representatives of State Government.

See title page for effective date.

CHAPTER 683

H.P. 972 - L.D. 1517

An Act to Establish the Social Equity Program

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

PART A