



**First Regular Session--129th Maine Legislature
Maine Energy Marketers Legislative Report**

[LD 13](#)

An Act To Allow Microgrids That Are in the Public Interest

Summary: This bill directs the Public Utilities Commission to approve a petition to construct and operate a new microgrid if the commission finds the proposal to be in the public interest and the new microgrid meets other specified requirements. It provides the commission with the ability to impose such terms, conditions or requirements as, in its judgment, it considers necessary in approving a new microgrid and also gives the commission oversight to ensure reliability and security of the electrical system and consumer protections for new microgrid consumers. It specifies that a new microgrid does not become a public utility as a result of its furnishing electrical service to participating consumers. It provides that a new microgrid that has been approved by the commission may construct, maintain or operate its lines in, upon, along, over, across or under the roads and streets. The bill directs the Public Utilities Commission to submit a report to the joint standing committee of the Legislature having jurisdiction over energy and utility matters by January 15, 2021.

[LD 16](#)

An Act To Authorize a General Fund Bond Issue To Invest in Infrastructure To Address Sea Level Rise

Summary: The funds provided by this bond issue, in the amount of \$50,000,000, will be used to improve waterfront and coastal infrastructure in municipalities to address sea level rise.

[LD 43](#)

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Dedicate All Sales Taxes from All Vehicle Sales and Vehicle-related Sales to the Highway Fund for Roads and Bridge Capital Improvements

Summary: This resolution proposes to amend the Constitution of Maine to dedicate all sales and use tax revenue from sales of motor vehicles and sales related to motor vehicles to the Highway Fund for roads and bridge capital improvements.

[LD 274](#)

An Act To Allow the Sale of Ethanol-free Gasoline Statewide

Summary: Since June 1, 2015, retailers who sell gasoline in York, Cumberland, Sagadahoc, Androscoggin, Kennebec, Knox or Lincoln County have been required to sell only reformulated gasoline in those counties. This bill repeals that sales requirement effective November 1, 2020.

[LD 281](#)

An Act To Allow the Sale of Ethanol-free Gasoline Statewide

Summary: This resolve provides for legislative review of portions of Chapter 692: Siting of Oil Storage Facilities, a major substantive rule of the Department of Environmental Protection.

[LD 289](#)

An Act To Prohibit the Use of Certain Disposable Food Service Containers

Summary: Beginning January 1, 2020, this bill prohibits the sale or distribution in the State of disposable food service containers composed in whole or in part of polystyrene foam. The bill requires the Department of Environmental Protection to adopt rules to implement these statutory provisions.

[LD 327](#)

An Act To Revise Maine's Environmental Laws

Summary: This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to revise laws governing environmental protection.

[LD 398](#)

An Act To Allow for Greater Flexibility in Addressing Energy Efficiency Needs in the State

Summary: This bill removes the provision that requires the Efficiency Maine Trust to allocate 50% of the funds in the Regional Greenhouse Gas Initiative Trust Fund for residential programs and 50% for commercial and industrial programs.

[LD 434](#)

An Act To Price Carbon Pollution in Maine

Summary: This bill requires an assessment on the carbon content of fuels sold by a distributor in the State. The bill defines "distributor" and requires a distributor to submit on a monthly basis the required assessment to the Public Utilities Commission. The commission is required to transfer any assessment it receives to the Carbon Content Assessment Fund, which the bill establishes. The bill requires the commission at the end of each fiscal year to transfer funds from the fund to transmission and distribution utilities in the State. The funds are to be used to reduce the rates of those utilities' customers in a manner that is equitable and that provides maximum benefit to the economy of the State. The bill gives the commission the authority to review the books and records of a distributor and to impose an administrative penalty if necessary. It requires the commission to adopt routine technical rules.

[LD 505](#)

An Act To Require the Use of Reusable Food Ware at Eating Establishments

Summary: This bill requires that a prepared food vendor may sell or provide prepared food to a customer for consumption on the vendor's premises only if the prepared food is served to the customer using reusable food ware. The bill also requires that a prepared food vendor may sell or provide prepared food to a customer for consumption off the vendor's premises using single-use disposable food ware only if the prepared food is served to the customer using single-use disposable food ware approved by the Department of Environmental Protection as recyclable or compostable.

The bill also requires that a prepared food vendor selling take-out food to a customer for consumption off the vendor's premises must require payment by the customer of a fee, retained by the prepared food vendor, of 25¢ for certain items of single-use disposable food ware in which the customer's take-out food is served or for each take-out meal served to the customer, whichever is less. The provisions of this bill also apply to a prepared food vendor or other food server providing or serving prepared food to customers at a state facility or state function.

[LD 563](#)

An Act To Help Municipalities Prepare for Sea Level Rise

Summary: This bill amends the State's growth planning and land use laws to reflect that addressing the effects of sea level rise is a state planning and regulatory goal. The bill amends the laws regarding the State's coastal management policies to direct state, local and certain federal agencies responsible for regulating, planning, developing or managing coastal resources to conduct their activities affecting the coastal area consistent with the policy of encouraging the assessment of and planning for the effects of the rise in sea level. The bill provides that a coastal municipality or multimunicipal region that includes a coastal municipality, if the municipality or region adopts a growth management program under the State's growth planning and land use laws, may include in its comprehensive plan projections regarding sea level changes and the potential effects of the rise in sea level and may develop a coordinated plan for addressing the effects of the rise in sea level. The bill also provides that "coastal municipality" means a municipality or township in the coastal zone as identified by a coastal program administered by the Department of Marine Resources.

[LD 604](#)

An Act To Create an Electric Vehicle Tax Credit

Summary: This bill provides an income tax credit for the purchase of a new plug-in electric-drive motor vehicle that is eligible for a federal income tax credit. The credit is \$300 plus \$50 for each kilowatt-hour of battery capacity in excess of 5 kilowatt-hours up to a maximum credit of \$1,500.

[LD 614](#)

An Act To Provide Purchase Rebates for Battery Electric Vehicles

Summary: This bill establishes an electric vehicle rebate program to be administered by the Efficiency Maine Trust that, beginning July 1, 2020, allows a person who purchases or leases an eligible battery electric vehicle to apply for and, as resources allow, receive a direct rebate of \$2,500 if the person meets certain eligibility criteria. The bill also provides a General Fund appropriation of \$500,000 to support the direct rebates to be made available under the program.

[LD 621](#)

An Act To Provide Purchase Rebates for Battery Electric Vehicles

Summary: This bill establishes an electric vehicle rebate program to be administered by the Efficiency Maine Trust that, beginning July 1, 2020, allows a person who purchases or leases an eligible battery electric vehicle to apply for and, as resources allow, receive a direct rebate of \$2,500 if the person meets certain eligibility criteria. The bill also provides a General Fund appropriation of \$500,000 to support the direct rebates to be made available under the program.

[LD 658](#)

Resolve, To Direct a Plan for Energy Independence for Maine

Summary: This resolve directs the Governor's Energy Office to adopt a 10-year energy independence plan, including conservation and renewable energy strategies, for the State to become a net exporter of energy by 2030. It requires the office to develop the plan through a collaborative stakeholder process. The plan must be submitted to the Joint Standing Committee on Energy, Utilities and Technology by December 31, 2019 along with suggested legislation necessary to implement the plan. The resolve authorizes the Joint Standing Committee on Energy, Utilities and Technology to report out a bill to the Second Regular Session of the 129th Legislature related to the plan.

[LD 754](#)

An Act To Ensure the Regional Greenhouse Gas Initiative Trust Fund

Continues To Promote Energy Efficiency and Benefit Maine Ratepayers

Summary: This bill reestablishes a ceiling that was repealed in 2013 on energy efficiency spending from the Regional Greenhouse Gas Initiative Trust Fund; provides for transfers from the trust fund to Maine-based energy-intensive businesses, in addition to transfers to affected customers; requires that funds over a certain amount be distributed to ratepayers; and authorizes the Public Utilities Commission to adopt implementing rules.

[LD 797](#)

An Act To Limit Greenhouse Gas Pollution and Effectively Use Maine's Natural Resources

Summary: This bill provides that by January 1, 2050 the State must reduce net annual greenhouse gas emissions to at least 80% below the 1990 net annual greenhouse gas emissions level. It directs the Department of Environmental Protection to establish interim net annual emissions levels and to monitor and report on gross and net annual greenhouse gas emissions. It directs the department to update the State's climate action plan and evaluate the State's progress toward meeting the reduction levels.

[LD 818](#)

An Act To Reduce Greenhouse Gas Emissions

Summary: This bill provides that by January 1, 2030 the State must reduce net annual greenhouse gas emissions to at least 80% below the 1990 net annual greenhouse gas emissions level. It directs the Department of Environmental Protection to establish interim net annual emissions levels and to monitor and report on gross and net annual greenhouse gas emissions. It directs the department to update the State's climate action plan and evaluate the State's progress toward meeting the reduction levels. It requires the Board of Environmental Protection to establish greenhouse gas emission standards for individual sources or categories of sources.

[LD 822](#)

An Act To Prohibit the Sale of Motor Fuel Containing More than 10% Ethanol

Summary: This bill prohibits a distributor, blender or retail dealer from selling, consigning or distributing motor fuel containing more than 10% ethanol by volume unless the motor fuel is sold, consigned or distributed in a sealed container that contains one quart or less of the motor fuel. It also repeals a contingent prohibition on the sale of motor fuel containing more than 10% ethanol by volume.

[LD 859](#)

An Act To Authorize a General Fund Bond Issue To Fund Equipment for Career and Technical Education Centers and Regions

Summary: The funds provided by this bond issue, in the amount of \$40,000,000, will be used to provide funds to make capital improvements to and purchase equipment for career and technical education centers and regions for high school students.

[LD 893](#)

An Act To Create an Updated Unified Maine Climate Action Plan

Summary: This bill requires the Department of Environmental Protection, working with the Maine Interagency Climate Adaptation Work Group, or MICA Work Group, and the University of Maine, to update the Maine Climate Action Plan developed in 2004 by the department. It requires the updated plan to address both mitigation and adaptation strategies. It requires the department and the MICA Work Group to convene a group of stakeholders to evaluate the mitigation and adaptation strategies in order to update the plan and it provides for internships for University of Maine students to work on the development and implementation of the updated plan. It authorizes the department to hire consultants. It requires the University of Maine System to develop and implement procedures for providing climate data to residents of the State. It also includes an appropriations and allocations section.

[LD 912](#)

An Act To Establish the Wood Energy Investment Program

Summary: This bill establishes the wood energy investment fund and creates the Wood Energy Investment Program within the Efficiency Maine Trust. The bill specifies that, if the Public Utilities Commission finds that an entity awarded a contract for biomass resources pursuant to Public Law 2015, chapter 483 is not meeting contract requirements and therefore is not qualified to receive the full contract payment or any contract payment, those funds that would have been paid had contract requirements been met must be transferred to the wood energy investment fund. It also specifies that any funds remaining in the cost recovery fund established in Public Law 2015, chapter 483, section 1, subsection 5 that are not needed to pay above-market costs for biomass resources must also be transferred by the Public Utilities Commission to the wood energy investment fund. It requires the trust to use funds from the fund, if there are any, to provide incentives and low-interest or no-interest loans for new wood-derived thermal energy or cogeneration projects. It requires that the trust consult with the Finance Authority of Maine, when appropriate, in the development of any Wood Energy Investment Program incentives and the distribution of money from the wood energy investment fund. It prohibits the use of funds for incentives or loans for the refurbishment or maintenance of existing facilities.

[LD 938](#)

An Act To Provide for Sustainable Transportation in Maine

Summary: This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to provide a means of sustainable transportation funding for the State

[LD 1028](#)

An Act To Prevent and Reduce Tobacco Use with Adequate Funding and by Raising the Tax on Tobacco Products

Summary: This bill increases the cigarette tax from \$2.00 to \$3.50 per pack of 20 cigarettes and increases the tax on all other tobacco products including electronic cigarettes to 81% of the wholesale sales price, beginning November 1, 2019. The bill provides that, if the tax on cigarettes is increased on or after November 1, 2019, the tax on all other tobacco products will be adjusted by a rate that is equivalent to the percentage change in the tax rate for one cigarette. The bill provides

ongoing funding, \$11,100,000 per year, to the Department of Health and Human Services, Maine Center for Disease Control and Prevention for tobacco use prevention and cessation in order to align with the United States Department of Health and Human Services, Centers for Disease Control and Prevention recommendations. The bill also provides \$1,000,000 in fiscal year 2019-20 and \$750,000 thereafter for MaineCare members for tobacco use cessation medications and counseling. Finally, the bill provides \$250,000 per year in ongoing funding to the Attorney General's office for increased tobacco enforcement activities.

[LD 1034](#)

An Act To Provide Revenue To Fix and Rebuild Maine's Transportation Infrastructure

Summary: This bill does the following for the purpose of increasing revenue to the Highway Fund and for other transportation purposes.

1. It increases certain fees charged by the Secretary of State for driver's license examinations, temporary license plates, nondriver identification cards, duplicate registrations, titles, driver's licenses, nondriver identification cards and transfers of registrations.
2. It increases the sales tax on the short-term rental of automobiles and certain pickup trucks and vans from 10% to 12%.
3. It requires 5% of the sales tax imposed on transportation-related items, such as motor vehicles and products for the repair and maintenance of motor vehicles, such as motor oil, batteries and tires, to be transferred to the Highway Fund on a monthly basis.
4. Beginning October 1, 2019, it increases the tax imposed on gasoline to 36.5¢ per gallon and the tax imposed on special fuel to 37.7¢ per gallon.

[LD 1080](#)

Resolve, Regarding Biofuel in Number 2 Heating Oil

Summary: This resolve directs the Executive Department, Governor's Energy Office to oversee a study of and report to the Joint Standing Committee on Environment and Natural Resources on the feasibility of setting a requirement for the percentage of biofuel to be used in #2 heating oil.

[LD 1110](#)

An Act To Establish a Local Option for Sales Tax

Summary: This bill allows a municipality to impose a local option sales tax if approved by referendum of the voters in that municipality. The referendum question must identify the rate of the local option sales tax, the categories of taxable items the local option sales tax will apply to and the purposes for which the revenue will be used. The local option sales tax would be collected and administered by the State in the same manner as the sales and use tax. Revenue from the local option sales tax is distributed to the municipality imposing the local option sales tax. Revenue received by a municipality may not be used to reduce or eliminate funding otherwise due the municipality under other provisions of law.

[LD 1157](#)

An Act To Fix Maine's Roads and Bridges by Establishing a Seasonal Gasoline Tax Adjustment

Summary: This bill adjusts the tax imposed on gasoline on a seasonal basis, so that the tax is 27¢ per gallon from November 1st to May 31st and 37¢ per gallon from June 1st to October 31st annually. The current tax rate on gasoline is 30¢ per gallon. This bill also repeals the requirement that an inventory tax be paid on gasoline on hand whenever there is an increase in the tax.

[LD 1160](#)

An Act To Transfer the Kim Wallace Adaptive Equipment Loan Program Fund to the Office of the Treasurer of State

Summary: This bill transfers the Kim Wallace Adaptive Equipment Loan Program Fund from the Finance Authority of Maine to the Treasurer of State and allows the Treasurer of State to make disbursements from the fund only upon written direction of the Kim Wallace Adaptive Equipment Loan Program Fund Board. This bill also provides funds to establish the fund in the Office of the Treasurer of State.

[LD 1190](#)

An Act To Prohibit the Sale and Distribution of Flavored Tobacco Products

Summary: This bill prohibits the sale and distribution of flavored tobacco products, including flavored cigars.

[LD 1203](#)

An Act To Clarify the Retirement Presumption under the Maine Workers' Compensation Act of 1992

Summary: Once an individual receiving workers' compensation benefits retires and is receiving retirement benefits, there is a presumption that the individual is no longer eligible for workers' compensation benefits related to loss of earnings or earning capacity. Under current law, this presumption may be rebutted by evidence that the individual is unable to perform suitable work because of the work-related disability.

This bill lowers the evidentiary burden on the retired individual collecting workers' compensation benefits by providing that evidence that the individual's retirement was due at least in part to a work-related disability is sufficient to continue eligibility for workers' compensation benefits related to loss of earnings or earning capacity.

[LD 1204](#)

An Act To Eliminate the Cap on Weekly Benefits in Workers' Compensation Cases

Summary: Current law caps the weekly benefit payable under the laws governing workers' compensation to a maximum amount set in statute or a percentage of the state average weekly wage, whichever is higher. This bill eliminates the cap on the weekly benefits.

[LD 1205](#)

An Act To Allow Full Retirement Benefits under the Maine Workers' Compensation Act of 1992

Summary: This bill strikes the provisions of law that require an employer to offset an individual's workers' compensation benefits based on retirement or pension benefits being received by that individual. It also clarifies the law to avoid the interpretation of the Maine Supreme Court in *Urrutia v. Interstate Brands International*, 2018 ME 24, 179 A.3d 312, which allowed an employer to take a credit for past overpayments, due to the employer's failure to take an allowable offset of benefits, by reducing the employer's ongoing payments of workers' compensation benefits.

[LD 1231](#)

An Act To Fund Energy Efficiency Programs through a Fee on the Sale of Unregulated Heating Fuels

Summary: Starting July 1, 2020, this bill imposes a fee of 1% on the wholesale sale price of heating oil, propane, coal, kerosene and dyed diesel fuel that is intended for residential or commercial

heating purposes. The bill requires the revenue raised through the imposition of this fee to be used to provide additional funding for the Heating Fuels Efficiency and Weatherization Fund, which is administered by the Efficiency Maine Trust for the purpose of reducing heating fuel consumption and providing energy efficiency and weatherization products and services to consumers.

[LD 1257](#)

An Act To Prepare Maine for a Low-carbon Transportation Future

Summary: This bill authorizes the Secretary of State to require the owner of an electric vehicle to pay an electric vehicle registration surcharge of \$25 per year when at least 3,000 electric vehicles are annually registered in the State. The amount of the surcharge increases to \$50 per year when at least 10,000 electric vehicles are annually registered in the State. The municipality that collects the annual electric vehicle registration surcharge is required to expend no less than 50% of the surcharge to construct or modify public infrastructure that facilitates the charging of electric vehicles for use by the general public or for other purposes that encourage or support the purchase and use by the general public of electric vehicles.

The bill also directs the Governor's Energy Office to convene an electric vehicle task force, which is charged with reviewing a number of matters relating to electric vehicles and electric vehicle infrastructure. The director of the office is required to report by February 15, 2020 to the Joint Standing Committee on Energy, Utilities and Technology and the Joint Standing Committee on Transportation regarding any recommendations of the task force, including proposed legislation. After reviewing the report, the committees may report out legislation to the Second Regular Session of the 129th Legislature.

The bill also directs the Commissioner of Transportation to take a number of actions regarding short-term and long-term planning for road infrastructure and highway funding, including a review of potential new vehicle or road use fees. The commissioner is directed to report by February 15, 2021 to the joint standing committees of the Legislature having jurisdiction over energy, utilities and technology matters and transportation matters regarding those actions and including any findings and recommendations and proposed legislation necessary to implement those recommendations. After reviewing the report, the committees may report out legislation to the First Regular Session of the 130th Legislature.

[LD 1282](#)

An Act To Establish a Green New Deal for Maine

Summary: This bill does the following.

Part A requires competitive electricity providers to demonstrate, by 2040, that their portfolios of supply sources for retail electricity sales in this State are 80% accounted for by renewable resources. It also amends the State's goals for long-term reduction of greenhouse gas emissions.

Part B creates the Task Force for a Green New Deal, which consists of 11 members including representatives of State Government, climate science, renewable energy, youth, labor and business. The task force is charged with creating a plan to advance environmental sustainability, renewable energy and economic growth for the State. The plan must include, but is not limited to, a renewable resources strategy to achieve 80% reliance on renewable resources for electricity supply by 2040; a job training strategy, including a training program to prepare workers for green jobs; and a residential energy strategy that provides incentives for installation of solar energy systems and heat pumps. The task force is required to submit a report on its plan by January 15, 2020 to the Governor, the Joint Standing Committee on Innovation, Development, Economic Advancement and Business, the Joint Standing Committee on Energy, Utilities and Technology and the Joint Standing Committee on Environment and Natural Resources.

Part C requires the Public Utilities Commission and the Efficiency Maine Trust to submit a report by January 1, 2020 that includes draft legislation to establish a virtual net metering program to encourage installation of solar photovoltaic energy systems on public school buildings.

Part D creates the Commission on a Just Transition to a Low-carbon Economy. The commission includes 13 members. The purpose of the commission is to ensure that the State's transition to a low-carbon economy benefits all residents fairly and equitably. The commission is required to submit an annual report to the Legislature.

[LD 1284](#)

An Act To Create the Science and Policy Advisory Council on the Impact of Climate Change on Maine's Marine Species

Summary: This bill establishes the Science and Policy Advisory Council on the Impact of Climate Change on Maine's Marine Species to examine the effects of climate change on Maine's marine ecosystems as habitat for the State's valuable commercial marine species and the direct and indirect effects of climate change on those commercial marine species. The council will identify, study and make recommendations to remediate and mitigate the direct and indirect effects of climate change on marine species that are commercially harvested and grown in the State's coastal and ocean environments.