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Date: (Filing No. S- )

**ENERGY, UTILITIES AND TECHNOLOGY**

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**STATE OF MAINE  
SENATE  
131ST LEGISLATURE  
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to S.P. 638, L.D. 1606, “An Act to Finance Clean Energy and Infrastructure in Maine”

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

**'Resolve, to Study Opportunities and Provide Guidance for School Clean Energy and Energy Efficiency Programs'**

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

**'Sec. 1. Study to evaluate opportunities for clean energy and energy efficiency programs in schools; report. Resolved:** That the Department of Education's office of innovation, in coordination with the Office of Policy Innovation and the Future, the Governor's Energy Office and the Efficiency Maine Trust, shall conduct a study and develop guidance to assist public elementary and secondary schools in the State with achieving energy efficiency and maximizing the use of clean energy. The study must include:

- 1. Identification and review of current and anticipated:
  - A. State and federal programs available to public elementary and secondary schools in the State for supporting energy audits and energy efficiency projects and financing and development of clean energy and clean transportation; and
  - B. Options for public elementary and secondary schools to contract with energy services companies, as defined in the Maine Revised Statutes, Title 5, section 1770, subsection 2, paragraph B, including opportunities for 3rd-party financing of school construction; and
- 2. Review and consideration of:
  - A. National climate policies and best practices, including, but not limited to, those described in Executive Order No. 14008, 86 Federal Register, 7619, January 27, 2021, and from relevant jurisdictions; and

**COMMITTEE AMENDMENT**

1 B. State policies related to labor practices and workforce enhancement standards,  
2 including, but not limited to, those described in the Maine Revised Statutes, Title 35-A,  
3 section 3408, subsection 2, paragraph F, subparagraph (2).

4 The guidance developed through this study must address how the programs and  
5 contracting options reviewed in accordance with subsection 1 may be effectively accessed  
6 and used by public elementary and secondary schools in the State and how public  
7 elementary and secondary schools can incorporate the best practices and standards  
8 reviewed in accordance with subsection 2 within those programs and contracting options.

9 No later than January 31, 2025, the Department of Education's office of innovation  
10 shall provide a report of its activities, as well as guidance for public elementary and  
11 secondary schools in the State for achieving energy efficiency, to the joint standing  
12 committees of the Legislature having jurisdiction over energy matters and education  
13 matters. The report may also include recommendations for legislation. The joint standing  
14 committee of the Legislature having jurisdiction over energy matters may report out a bill  
15 related to the report to the 132nd Legislature in 2025.

16 **Sec. 2. Department of Education to develop contracting guidance for**  
17 **schools; report. Resolved:** That the Department of Education, in consultation with the  
18 Office of Policy Innovation and the Future, the Governor’s Energy Office, the Efficiency  
19 Maine Trust, relevant state agencies and representatives from school leadership, including  
20 superintendents, business officers and facilities managers, shall develop contracting  
21 guidance for public elementary and secondary schools to assist the schools with saving  
22 money through energy efficiency, clean energy and clean transportation projects. The  
23 guidance must be designed to assist schools entering into contracts for such projects,  
24 including energy performance contracts with energy service companies, as defined in the  
25 Maine Revised Statutes, Title 5, section 1770, subsection 2, paragraph B, to maximize  
26 federal tax incentives and ensure timely and on-budget project completion of the contracted  
27 project or service.

28 No later than January 31, 2025, the Department of Education shall provide a report,  
29 including draft guidance, to the joint standing committees of the Legislature having  
30 jurisdiction over energy matters and education matters. The report may also include  
31 recommendations for legislation. The joint standing committee of the Legislature having  
32 jurisdiction over education matters may report out a bill related to the report to the 132nd  
33 Legislature in 2025.'

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

36 **SUMMARY**

37 This amendment replaces the bill with a resolve and does the following.

38 1. It directs the Department of Education's office of innovation to conduct a study and  
39 develop guidance, in coordination with the Office of Policy Innovation and the Future, the  
40 Governor’s Energy Office and the Efficiency Maine Trust, to assist public elementary and  
41 secondary schools in the State with achieving energy efficiency and maximizing the use of  
42 clean energy. The guidance must address how the programs and contracting options  
43 reviewed as a part of the study may be effectively accessed and used by public elementary  
44 and secondary schools in the State and incorporate the best practices and standards. No

1 later than January 31, 2025, the Department of Education's office of innovation must  
2 provide a report of its activities, as well as guidance for public elementary and secondary  
3 schools in the State for achieving energy efficiency, to the joint standing committees of the  
4 Legislature having jurisdiction over energy matters and education matters. The joint  
5 standing committee of the Legislature having jurisdiction over energy matters may report  
6 out a bill related to the report to the 132nd Legislature in 2025.

7 2. It requires the Department of Education, in consultation with the Office of Policy  
8 Innovation and the Future, the Governor’s Energy Office, the Efficiency Maine Trust,  
9 relevant state agencies and representatives from school leadership, including  
10 superintendents, business officers and facilities managers, to develop contracting guidance  
11 for public elementary and secondary schools to assist the schools with saving money  
12 through energy efficiency, clean energy and clean transportation projects. No later than  
13 January 31, 2025, the Department of Education must provide a report, including draft  
14 guidance, to the joint standing committees of the Legislature having jurisdiction over  
15 energy matters and education matters. The joint standing committee of the Legislature  
16 having jurisdiction over education matters may report out a bill related to the report to the  
17 132nd Legislature in 2025.

18 **FISCAL NOTE REQUIRED**

19 **(See attached)**