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Date: (Filing No. S-)

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STATE OF MAINE
SENATE
130TH LEGISLATURE
FIRST SPECIAL SESSION

SENATE AMENDMENT “ ” to COMMITTEE AMENDMENT “A” to H.P. 902, L.D. 1231, “An Act Concerning Climate and Community Investment Projects”

Amend the amendment in section 1 in c. 47 in §3701 in subsection 1 by striking out all of paragraph B (page 1, lines 22 to 31 in amendment) and inserting the following:

- 'B. "Assisted project" means a construction project:
 - (1) To construct a source of electrical generation of 2 megawatts or more that involves a renewable energy project, an energy efficiency project or a project for the production of energy for which the generator is entitled to participate in the net energy billing program in Title 35-A, chapter 32 or is a related construction project; and
 - (2) For which the State or an agency of the State provides economic assistance, including but not limited to payments pursuant to power purchase agreements, certifications that entitle the generator to renewable energy credits, rebates, grants, loans, commitments of funds or tax abatements or tax exemptions or other assistance, if the financial value of the economic assistance is at least \$50,000.'

Amend the amendment in section 1 in c. 47 in §3701 by inserting after subsection 5 the following:

- '6. Application. This section does not apply to a project:
 - A. For which the Public Utilities Commission approved a term sheet or contract or otherwise provided project-specific authorization or approval pursuant to Title 35-A on or before June 29, 2021; or
 - B. Participating in net energy billing that meets the requirements of Title 35-A, section 3209-A, subsection 7.'

Amend the amendment in section 2 in subsection 1 in paragraph C in subparagraph (2) in division (g) in the last line (page 5, line 10 in amendment) by striking out the following: "and"

Amend the amendment in section 2 in subsection 1 in paragraph C in subparagraph (2) in division (h) in subdivision (v) in the last line (page 5, line 30 in amendment) by striking out the following: "agreement." and inserting the following: 'agreement; and'

SENATE AMENDMENT

1 Amend the amendment in section 2 in subsection 1 in paragraph C in subparagraph (2)
2 by inserting after division (h) the following:

3 '(i) Whether an entity is employee-owned, including but not limited to an
4 entity that offers employee stock ownership plans.'

5 Amend the amendment by inserting after section 2 the following:

6 **'Sec. 3. Effective date.** This Act takes effect January 1, 2022.'

7 Amend the amendment by relettering or renumbering any nonconsecutive Part letter or
8 section number to read consecutively.

9 **SUMMARY**

10 This amendment amends the definition of "assisted project" to clarify that an assisted
11 project is a construction project to construct a source of electrical generation of 2 megawatts
12 or more and for which at least \$50,000 in state assistance is provided. The amendment
13 directs the Public Utilities Commission, in conducting a solicitation and selecting Class IA
14 resources for contracts pursuant to statutory provisions governing renewable portfolio
15 standard procurement, to consider whether an entity is employee-owned, including but not
16 limited to an entity that offers stock ownership plans. The amendment excludes certain
17 projects from the provisions in the committee amendment concerning climate and
18 community investment projects. The amendment adds an effective date of January 1, 2022.

19 **SPONSORED BY:** _____

20 **(Senator HICKMAN, C.)**

21 **COUNTY: Kennebec**