

MAINE STATE LEGISLATURE

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Legislative Record
House of Representatives
One Hundred and Thirtieth Legislature
State of Maine

Daily Edition

First Special Session

beginning April 28, 2021

beginning at page H-200

84 having voted in the affirmative and 55 voted in the negative, with 12 being absent, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-651)** was **READ** by the Clerk and **ADOPTED**.

Under suspension of the rules the Bill was given its **SECOND READING WITHOUT REFERENCE** to the Committee on **Bills in the Second Reading**.

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-651)** and sent for concurrence.

Majority Report of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-638)** on Bill "An Act To Amend State Laws Relating to Net Energy Billing and the Procurement of Distributed Generation"

(H.P. 692) (L.D. 936)

Signed:

Senators:

LAWRENCE of York
VITELLI of Sagadahoc

Representatives:

BERRY of Bowdoinham
CUDDY of Winterport
GROHOSKI of Ellsworth
KESSLER of South Portland
WOOD of Portland
ZEIGLER of Montville

Minority Report of the same Committee reporting **Ought Not to Pass** on same Bill.

Signed:

Senator:

STEWART of Aroostook

Representatives:

CARLOW of Buxton
FOSTER of Dexter
WADSWORTH of Hiram

READ.

Representative BERRY of Bowdoinham moved that the House **ACCEPT** the Majority **Ought to Pass as Amended** Report.

The SPEAKER: The Chair recognizes the Representative from Dexter, Representative Foster.

Representative **FOSTER**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. First of all, I would like to thank my good friend, the Representative from Ellsworth, for all the work that was done regarding this net energy billing issue, the subcommittee work, the work on the language, the work with the stakeholders and those of us who had concern for our ratepayers, as so did that Representative. Mr. Speaker, this was all in an effort to try to repair what was done to the State's rate obligations because of legislation passed in the 129th, otherwise known as LD 1711, the Dow Solar Bill. That bill that I've referred to as prompting a solar goldrush in the State of Maine, made some big promises to those who earn their living from solar power; installation, operation, etcetera. Unfortunately, at often more than 10 cents a kilowatt hour of subsidy from our ratepayers, not to speak of tax incentives both on federal and state levels and other monies available for the installation of

solar power, we cannot as we look forward to green energy increases in the State of Maine, afford to have energy rates, electricity rates of this magnitude. So, this was an attempt to address that. Unfortunately, the result, in my opinion, does not go far enough and, once again, I will remind folks here of the testimony we received during this NEB discussion in the subcommittee from a representative with the AARP of Maine. And I'll quote; AARP Maine continues to track and engage deliberations regarding legislation that will impact Maine ratepayers in an effort to represent all consumers, but especially those older Mainers living on a fixed income who are far more likely to feel the burden of even the smallest rate hike. AARP Maine objects to the proposal submitted for consideration at the May 28th meeting. Our concerns reflect the high cost and unreasonable bill impacts associated with both proposals. If the proposals are adopted, the result would be a legislated approval of a 20-year contract between electric ratepayers and distributed generation solar providers that would require payments totaling \$115 million to \$153 million annually from ratepayers, resulting in a distribution rate increase of 15-20% annually. That was AARP's projections.

Now, I will again remind folks here and read once again findings or information provided by the Public Utilities Commission. This Public Utilities Commission has many experts on board. They have a large contingency that looks at these issues, not only do they regulate utilities but they try to look at pending legislation, they look at Statute and they report out to the EUT committee on findings on very many issues, most especially in the area of the electric utilities and rates. EUT committee members, please find below in response to Representative Foster's request some of the cost estimates that have been provided by the Commission to the NEB Subcommittee. The actual cost will depend on how many of the approximately 1500 megawatts of eligible projects under the majority amendment become operational. And I will only read the top quote; if an NEB capacity of 1500 megawatts is realized, the cost per year in millions of dollars will be 230.08 million. The estimated delivery rate increase to ratepayers including those elderly, those on fixed income, those poor that live among us, will be projected to be a 31% increase. I ask, Mr. Speaker, that we vote down this pending motion. Thank you.

The SPEAKER: The Chair recognizes the Representative from Penobscot, Representative Hutchins.

Representative **HUTCHINS**: Mr. Speaker, has a Roll Call been called on this yet?

The SPEAKER: The Chair would answer in the negative.

Representative **HUTCHINS**: Then I'd like to call for one.

Representative **HUTCHINS** of Penobscot **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **Ought to Pass as Amended** Report.

More than one-fifth of the members present expressed a desire for a roll call which was ordered.

The SPEAKER: The Member may proceed.

Representative **HUTCHINS**: There's no exception, impatient people, when they perceive a problem, they want to fix it tomorrow or maybe this afternoon. And that's kind of how runaway the process of the Green New Deal has come about in, I believe, anyway. We have proposals that by the time, and I think we're going to continue with them unfortunately, by the time we get done paying for what's now the Green New Deal and the wind turbines and solar power that are unreliable power, as was proved in Texas not long ago and Maine really knows how to produce ice as compared to Texas, we will have spent so much money on this that we may not be able to afford what

might come next that actually might help the environment. Because this isn't going to. Thank you very much.

The SPEAKER: The Chair recognizes the Representative from Pittston, Representative Hanley.

Representative **HANLEY**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House, some of you are old enough to remember and, maybe not hearing it personally, but I've heard it played over and over throughout the years. President Eisenhower, when he was leaving office in 1960, he gave a farewell speech and he warned about the military industrial complex. And he was right. Well, I'm warning you about the solar industrial complex and I'm right already. This bill proves it and the rates that were just mentioned by the Good Representative from Dexter are going to be living proof of the solar industrial complex and the tail wagging the dog. Defeat this motion. Thank you very much.

The SPEAKER: The Chair recognizes the Representative from Berwick, Representative O'Connor.

Representative **O'CONNOR**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Not only do I find it reprehensible that we will raise the energy rates, the electric rates on our elderly in the State and our people who really are lacking quite a bit of disposal income, I find it also reprehensible that the rates will continue to increase, they'll increase and we'll have other issues such as the recycling of these panels, that will increase costs and we will also, we could have another looming crisis considering golf courses used to be the largest user of Monsanto's Roundup in the State, now it is solar farms. Thank you, Mr. Speaker.

The SPEAKER: A roll call has been ordered. The pending question before the House is Acceptance of the Majority Ought to Pass as Amended Report. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 301

YEA - Arford, Babbidge, Bailey, Bell, Berry, Blume, Brennan, Brooks, Bryant, Caiazzo, Cardone, Cloutier, Collings, Copeland, Crafts, Craven, Crockett, Cuddy, Dodge, Doore, Doudera, Dunphy, Evangelos, Evans, Fay, Geiger, Gere, Gramlich, Grohoski, Harnett, Hasenus, Hymanson, Kessler, Lookner, Madigan, Martin J, Martin R, Mathieson, Matlack, McCrea, McCreight, McDonald, Melaragno, Meyer, Millett, Morales, Moriarty, O'Connell, O'Neil, Osher, Paulhus, Pebworth, Perry A, Perry J, Pierce, Pluecker, Reckitt, Rielly, Riseman, Roberts, Roeder, Sachs, Salisbury, Sheehan, Stover, Supica, Sylvester, Talbot Ross, Tepler, Terry, Tucker, Tuttle, Warren C, Warren S, White, Williams, Wood, Zager, Zeigler, Mr. Speaker.

NAY - Alley, Austin, Bernard, Bickford, Blier, Carlow, Carmichael, Collamore, Connor, Corey, Costain, Dillingham, Dolloff, Downes, Drinkwater, Ducharme, Faulkingham, Fecteau, Foster, Gifford, Greenwood, Griffin, Haggan, Hall, Hanley, Harrington, Head, Hutchins, Javner, Johansen, Kinney, Kryzak, Landry, Lemelin, Libby, Lyford, Lyman, Mason, Millett, Morris, Nadeau, Newman, O'Connor, Ordway, Parry, Perkins, Pickett, Poirier, Quint, Rudnicki, Sampson, Skolfield, Stanley, Stearns, Stetkis, Thorne, Tuell, Underwood, Wadsworth.

ABSENT - Andrews, Arata, Bradstreet, Cebra, Grignon, Hepler, Martin, Prescott, Roche, Sharpe, Theriault, White.

Yes, 80; No, 59; Absent, 12; Excused, 0.

80 having voted in the affirmative and 59 voted in the negative, with 12 being absent, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-638)** was **READ** by the Clerk and **ADOPTED**.

Under suspension of the rules the Bill was given its **SECOND READING WITHOUT REFERENCE** to the Committee on **Bills in the Second Reading**.

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-638)** and sent for concurrence.

Majority Report of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-640)** on Bill "An Act To Create the Pine Tree Power Company, a Nonprofit Utility, To Deliver Lower Rates, Reliability and Local Control for Maine Energy Independence"

(H.P. 1269) (L.D. 1708)

Signed:

Senators:

LAWRENCE of York
VITELLI of Sagadahoc

Representatives:

BERRY of Bowdoinham
CARLOW of Buxton
CUDDY of Winterport
GRIGNON of Athens
GROHOSKI of Ellsworth
KESSLER of South Portland
WOOD of Portland
ZEIGLER of Montville

Minority Report of the same Committee reporting **Ought Not to Pass** on same Bill.

Signed:

Senator:

STEWART of Aroostook

Representatives:

FOSTER of Dexter
WADSWORTH of Hiram

READ.

Representative BERRY of Bowdoinham moved that the House **ACCEPT** the Majority **Ought to Pass as Amended** Report.

Representative WADSWORTH of Hiram **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **Ought to Pass as Amended** Report.

More than one-fifth of the members present expressed a desire for a roll call which was ordered.

The SPEAKER: The Chair recognizes the Representative from Dexter, Representative Foster.

Representative **FOSTER**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This landmark bill, LD 1708, is likely the most provocative, complex and possibly detrimental bill we will consider in the 130th Legislature. I'll cover a few of the issues I see in it for you to ponder.

First of all, those supporting the bill claim it is not a government takeover but a customer takeover of the investor-owned utilities. Although one may question it by the way things seem today, as far as I know, the customers are citizens --

The SPEAKER: The Member will defer. It is very difficult to hear people speaking. There's a lot of side conversations occurring. If Members would like to have side conversations, I would request you take them behind the glass or out in the hallway. The Member may proceed.