



# 129th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2019

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Legislative Document

No. 1398

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H.P. 1013

House of Representatives, March 26, 2019

### **An Act To Allow the Efficiency Maine Trust To Provide Support for New Home Construction**

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Reference to the Committee on Energy, Utilities and Technology suggested and ordered printed.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative INGWERSEN of Arundel.  
Cosponsored by Representatives: ALLEY of Beals, DOUDERA of Camden, MAXMIN of Nobleboro, MEYER of Eliot.

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

2           **Sec. 1. 35-A MRSA §10110, sub-§2**, as amended by PL 2017, c. 414, §2, is  
3 further amended to read:

4           **2. Programs.** The trust shall develop and implement conservation programs to help  
5 reduce energy costs for electricity consumers in the State by the maximum amount  
6 possible. The trust shall establish and, on a schedule determined by the trust, revise  
7 objectives and an overall energy strategy for conservation programs. Conservation  
8 programs implemented by the trust must be consistent with the objectives and an overall  
9 energy strategy developed by the trust and approved by the commission and be cost-  
10 effective, as defined by the board by rule. In defining "cost-effective," the board may  
11 consider the extent to which a program promotes sustainable economic development or  
12 reduces environmental damage to the extent the board can quantify or otherwise  
13 reasonably identify such effects. Consistent with the other requirements of this section,  
14 the trust, in adopting and implementing conservation programs, shall seek to encourage  
15 efficiency in electricity use, provide incentives for the development of new, energy-  
16 efficient business activity in the State and take into account the costs and benefits of  
17 energy efficiency and conservation to existing business activity in the State. The trust  
18 shall ensure that conservation programs for residential consumers provide support for  
19 energy efficiency or conservation measures in new homes as well as in retrofits or  
20 improvements of existing homes.

21           A. The trust shall consider, without limitation, conservation programs that:

- 22                   (1) Increase consumer awareness of cost-effective options for conserving energy;  
23                   (2) Create more favorable market conditions for the increased use of energy-  
24                   efficient products and services;  
25                   (3) Promote sustainable economic development and reduce environmental  
26                   damage;  
27                   (4) Reduce the price of electricity over time for all consumers by achieving  
28                   reductions in demand for electricity during peak use periods; and  
29                   (5) Reduce total energy costs for electricity consumers in the State by increasing  
30                   the efficiency with which electricity is consumed.

31           B. The trust, with regard to funds available to the trust under this section, shall:

- 32                   (1) Target at least 10% of funds for electricity conservation collected under  
33                   former subsection 4 or subsection 4-A or \$2,600,000, whichever is greater, to  
34                   programs for low-income residential consumers, as defined by the board by rule;  
35                   (2) Target at least 10% of funds for electricity conservation collected under  
36                   former subsection 4 or subsection 4-A or \$2,600,000, whichever is greater, to  
37                   programs for small business consumers, as defined by the board by rule; and  
38                   (3) To the greatest extent practicable, apportion remaining funds among  
39                   customer groups and geographic areas in a manner that allows all other customers  
40                   to have a reasonable opportunity to participate in one or more conservation  
41                   programs.

- 1 C. The trust shall hold at least one public hearing and invite, accept, review and  
2 consider comments and suggestions from interested parties prior to adopting or  
3 substantially revising conservation programs or the objectives and overall strategy for  
4 conservation programs.
- 5 D. The trust shall monitor conservation planning and program development activities  
6 in the region and around the country.
- 7 E. The trust shall implement conservation programs by contracting with service  
8 providers in accordance with subsection 3.
- 9 F. The trust shall monitor and evaluate the delivery of conservation programs by  
10 service providers and assess the cost-effectiveness of programs in meeting the  
11 objectives and overall strategy established by the trust.
- 12 G. The trust, to the extent possible, shall coordinate its efforts with other agencies of  
13 the State with energy-related responsibilities.
- 14 H. The trust shall secure sufficient technical and administrative expertise to carry out  
15 its responsibilities pursuant to this section by:
  - 16 (1) Contracting with appropriate entities with relevant expertise and experience;
  - 17 (2) Establishing one or more advisory groups composed of persons with relevant  
18 expertise and experience; or
  - 19 (3) Any other reasonable means developed by the trust.
- 20 I. The trust may coordinate its efforts under this section with similar efforts in other  
21 states in the northeast region and enter into agreements with public agencies or other  
22 entities in or outside of the State for joint or cooperative conservation planning or  
23 conservation program delivery, if the trust finds that such coordination or agreements  
24 would provide demonstrable benefits to citizens of the State and be consistent with  
25 this section, the conservation programs and the objectives and overall strategy for the  
26 conservation programs.
- 27 J. The trust shall encourage school facility managers to complete an energy  
28 efficiency training and certification program established and conducted by the trust  
29 under this section. To the extent the trust determines necessary and appropriate to  
30 meet the goals of this paragraph, the trust may, in accordance with the requirements  
31 of this section, establish incentive mechanisms to encourage participation in this  
32 program. For purposes of this paragraph, "school facility managers" means persons  
33 employed by school administrative units in this State who are responsible for the  
34 design or operation of school administrative unit facilities or the heating, ventilation  
35 or air conditioning systems or equipment used in such facilities.
- 36 K. The trust shall provide programs developed in partnership with energy providers,  
37 such as transmission and distribution utilities, to provide consumers with information  
38 on energy options to promote energy efficiency and increased use of alternative  
39 energy resources in the State.
- 40 L. Pursuant to section 3214, subsection 2-A, the trust shall work with investor-  
41 owned transmission and distribution utilities, consumer-owned transmission and  
42 distribution utilities that elect to participate in an arrears management program

