



# 130th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2021

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Legislative Document

No. 667

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H.P. 494

House of Representatives, March 3, 2021

**An Act To Create Synergy between Maine Industry and Maine's  
Energy Goals in the Use of Certain Funds by the Efficiency Maine  
Trust**

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Received by the Clerk of the House on March 1, 2021. Referred to the Committee on Energy, Utilities and Technology pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

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

ROBERT B. HUNT  
Clerk

Presented by Representative KESSLER of South Portland.  
Cosponsored by Representatives: DUCHARME of Madison, DUNPHY of Old Town.

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

2 **Sec. 1. 35-A MRSA §10103, sub-§1, ¶B**, as repealed and replaced by PL 2013, c.  
3 369, Pt. A, §3, is amended by amending subparagraph (6) to read:

4 (6) Simplifying and enhancing consumer access to technical assistance and  
5 financial incentives relating to energy efficiency and the use of alternative energy  
6 resources by merging or coordinating dispersed programs under a single  
7 administrative unit possessing independent management and expertise; ~~and~~

8 **Sec. 2. 35-A MRSA §10103, sub-§1, ¶B**, as repealed and replaced by PL 2013, c.  
9 369, Pt. A, §3, is amended by amending subparagraph (7) to read:

10 (7) Using cost-effective energy and energy efficiency investments to reduce  
11 greenhouse gas emissions; and

12 **Sec. 3. 35-A MRSA §10103, sub-§1, ¶B**, as repealed and replaced by PL 2013, c.  
13 369, Pt. A, §3, is amended by enacting a new subparagraph (8) to read:

14 (8) Encouraging the development and adoption of environmentally sustainable  
15 energy-related and energy efficiency-related products and services derived from  
16 the State's natural resources, industrial by-products, waste products and recycled  
17 materials;

18 **Sec. 4. 35-A MRSA §10119, sub-§2, ¶A**, as amended by PL 2019, c. 306, §6, is  
19 further amended to read:

20 A. All funds deposited in the fund must be administered by the trust to reduce fossil  
21 heating fuel consumption consistent with the purpose and targets of the trust and the  
22 triennial plan to achieve the following goals:

23 (1) By 2030, to provide cost-effective energy efficiency and weatherization  
24 measures to substantially all homes and businesses whose owners wish to  
25 participate in programs established by the trust under this section; ~~and~~

26 (2) From fiscal year 2019-20 to fiscal year 2024-25, to install 100,000 new high-  
27 performance air source heat pumps in the State to provide heating in residential  
28 and nonresidential spaces. "High-performance air source heat pump" means an air  
29 source heat pump that satisfies minimum heating performance standards as  
30 determined by the trust; and

31 (3) To replace fossil heating fuel in residential, commercial and industrial sectors  
32 with renewable heating fuel, including, but not limited to, second generation  
33 biofuel, biodiesel fuel derived from used vegetable oil and fuel derived using  
34 anaerobic digestion or other technologies. As used in this subparagraph, "second  
35 generation biofuel" has the same meaning as in 26 United States Code, Section  
36 40(b)(6)(E).

37 **Sec. 5. 35-A MRSA §10119, sub-§2, ¶B**, as amended by PL 2019, c. 306, §6, is  
38 further amended by repealing subparagraph (4).

39 **Sec. 6. 35-A MRSA §10119, sub-§2, ¶B**, as amended by PL 2019, c. 306, §6, is  
40 further amended by enacting a new subparagraph (5) to read:

41 (5) Eligible program measures may include, but are not limited to:

1                   (a) Training or certification of energy auditors, insulation installers,  
2                   mechanical heating system installers and maintenance technicians and building  
3                   energy inspectors; and

4                   (b) Environmentally sustainable energy-related or energy efficiency-related  
5                   products and services derived from the State's natural resources, industrial by-  
6                   products, waste products and recycled materials.

7                   **Sec. 7. 35-A MRSA §10119, sub-§2, ¶C**, as amended by PL 2019, c. 306, §6, is  
8 further amended by enacting a new subparagraph (1-A) to read:

9                   (1-A) Incentives to consumers to purchase and install environmentally sustainable  
10                   energy-related or energy efficiency-related products and services derived from the  
11                   State's natural resources, industrial by-products, waste products and recycled  
12                   materials;

13                   **SUMMARY**

14                   This bill amends the purposes of the Efficiency Maine Trust to encourage the  
15 development and adoption by the trust of environmentally sustainable energy-related and  
16 energy efficiency-related products and services derived from the State's natural resources,  
17 industrial by-products, waste products and recycled materials. It also amends the goals of  
18 the Heating Fuels Efficiency and Weatherization Fund by clarifying the reduction of fossil  
19 heating fuel consumption as the fund's primary goal and by encouraging through the use of  
20 the fund the replacement of such fuel in residential, commercial and industrial sectors with  
21 renewable heating fuel, including, but not limited to, second generation biofuel, biodiesel  
22 fuel derived from used vegetable oil and fuel derived using anerobic digestion or other  
23 technologies. The bill also authorizes the expenditure of funds from the fund for programs  
24 and program designs that encourage or incentivize measures relating to such  
25 environmentally sustainable energy-related and energy efficiency-related products and  
26 services.