

March 16th, 2023

Senator Tim Nangle, Senate Chair
Representative Holly Stover, House Chair
Joint Standing Committee on State and Local Government
100 State House Station
Augusta, Maine 04333

RE: MSCC Testimony in SUPPORT of L.D. 894: An Act to Preserve Heating and Energy Choice by Prohibiting a Municipality from Prohibiting a Particular Energy System or Energy Distributor

Senator Nangle, Representative Stover, and members of the committee on State and Local Government:

My name is Ben Lucas, I live in Portland, and I represent the Maine State Chamber of Commerce, a statewide business organization consisting of a network of more than 5,000 small and large employers across Maine. The Maine State Chamber of Commerce is submitting testimony in support of L.D. 894, and we greatly appreciate the sponsor, Senator Harrington for introducing this legislation, as well as Senate President Jackson for cosponsoring.

Over the summer months, we conducted our annual, Making Maine Work Report which is a survey we put out to our members every four years to learn about what issues are most important to the business community. In the 2022 survey, energy was the second most important issue right behind workforce. This was the highest that energy had ranked on the survey since we started conducting the survey in 2010. Right now, the business community in Maine is dealing with unsustainable costs increases. We feel it is important to make sure that companies have the right to freely pick what energy source they need, and LD 894 preserves the right of Maine individuals and businesses to choose the type of energy source they use, including wood, gas, oil, and renewable electricity. In our opinion, the business community in Maine understands what their business needs to do to lower the cost of energy, and being able to freely make those selections will help lower the cost of energy.

As drafted, LD 894 would ensure that municipalities in Maine do not pass ordinances that directly or indirectly prohibit a consumer from choosing their own heating or energy system. Under current law, arguably, Maine municipalities already have very limited – if any – authority to do this, but it is something that has arisen in other states. Some cities and towns in various states have tried to restrict how we heat or energize our homes, businesses, or public buildings. These are often accomplished through changes to building codes and outright bans on specific energy sources in new construction, remodels, and even existing housing and commercial buildings. LD 894 limits the ability of municipalities to enact such restrictions on fuel choice by consumers.

In closing, we again thank the sponsor for bringing the legislation forward and we would encourage the committee to vote, "ought to pass" on L.D. 894. I am happy to bring back any additional information for the work session and I will be present at the work session. Thank you for your consideration.

Sincerely,
Benjamin R. Lucas
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