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LD 810

If the sponsor of LD 810 wishes to seek proposals for amendments, below is some suggested language. The ideas in Section 1 are taken, in part, from Title 35-A, sections 3132, 3210-I, and 3409. The ideas in Section 2 are to provide a narrow exception to legislative approval that the sponsor seeks. It is intended to direct a proposed transmission line to an existing utility ROW or corridor or an existing transportation ROW or corridor. It is also intended to clarify at what point in time a legislative vote would otherwise be required.

Sec. 1. 35-A MRSA Section 3132, subsection 6, is amended by enacting at the end of a new blocked paragraph to read:

For the purpose of this subsection, the commission shall give preference to a proposed transmission line that: 1) provides demonstrable benefits for Maine ratepayers, 2) includes cost-effective implementation and efficient transmission access to renewable and efficient energy resources in Maine in a manner that best supports the achievement of the State's renewable energy goals under Title 35-A, section 3210 and of the greenhouse gas emissions reduction levels set forth in Title 38, section 576-A and Title 38, section 577, 3) is likely to provide a reduction in transmission costs and costs to Maine ratepayers for electricity over time as more energy is transmitted using the transmission line, 4) avoids unnecessary costs to Maine ratepayers to upgrade the existing transmission grid, 5) maximizes federal tax credits, grants and loans, 6) provides for cost sharing among states or recovery of transmission costs through federal transmission rates, 7) adequately demonstrates project viability within a commercially reasonable time, 8) considers the amount of transmission capacity needed to maintain or improve electric system reliability, 9) provides community engagement plans, 10) favors use, to the maximum extent practicable, of existing transmission rights-of-way, existing transmission corridors, existing federal or state highways, or existing public or private railroad line right-of-way and joint use agreements thereof, and 11) encourages projects that avoid, minimize or mitigate impacts to wildlife, the environment, fisheries, fishing activities or tribal burial and archeological sites, whether submerged or on land.

Sec. 2. 35-A MRSA Section 3132, subsection 6-C, as amended by PL 2023, c 644, section 2 is further amended by enacting at the end of a new blocked paragraph to read:

For the purposes of this subsection, a high-impact transmission line that has been proposed by the Legislature, is deemed to have received the majority legislative approval required by this subsection provided that:

1. The high-impact transmission line will use an existing transmission rights-of-way, existing transmission corridor, existing federal or state highway, or existing public or private railroad line right-of-way. The date to determine existing is as of the date of July 1, 2025,
2. If public land is to be utilized, that it be service land and,
3. Has otherwise received all approvals in accordance with Title 35-A Section 3132, as amended in Section 1 above

If the preceding conditions are not met, then the Legislature shall take its vote for approval of the high-impact transmission line as required in this subsection only after the commission, and all other required state agencies, have provided their approvals.

SUMMARY

This bill provides for the commission to give preference to transmission proposals that: 1) provide demonstrable benefits to Maine ratepayers, 2) cost-effective implementation and access to renewable and efficient energy resources in Maine to support Maine's renewable energy and greenhouse gas emission reduction goals, 3) will likely reduce costs to Maine ratepayers over time, 4) avoid unnecessary transmission upgrade costs, 5) maximize federal tax credits, grants and loans, 6)

provide for cost sharing or recovery among states, 7) can demonstrate project viability within a commercially reasonable time, 8) consider the amount of transmission need and electric system reliability, 9) provide for community engagement, 10) favor use of various transmission rights-of-way, corridors, federal or state highways and public or private railroad line rights-of-way and joint use agreements thereof and 11) minimize or mitigate impacts to wildlife, the environment, fisheries, tribal burial and archeological sites.

This bill also provides that a high-impact transmission line proposed by the Legislature is deemed to have received the majority legislative approval required by the Maine Revised Statutes, Title 35-A, section 3132, subsection 6-C if it uses an existing transmission and distribution rights-of-way, transmission corridors, federal or state highways, or public or private railroad line rights-of-way and otherwise receives all approvals in accordance with Title 35-A Section 3132, as amended. It does not remove the requirement of a 2/3 vote of all members elected to each House of the Legislature if public land, that is not service land, is to be utilized. It also clarifies when the Legislature would take its vote in all other events only after the commission, and other required state agencies, have provided their approvals.