

131st Legislature
Senate of
Maine
Senate District 2

Senator Harold 'Trey' Stewart
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LD 894 “An Act to Preserve Heating and Energy Choice by Prohibiting a Municipality from Prohibiting a Particular Energy System or Energy Distributor”

Joint Standing Committee on State and Local Government
March 16, 2023

Senator Nangle, Representative Stover and Distinguished Members of the Joint Standing Committee on State and Local Government:

I am Senator Trey Stewart and I proudly represent District 2, which includes several communities in Aroostook and Penobscot counties.

As a co-sponsor of LD 894 and a proud signer of the Energy Choice Pledge this past fall, the goal of this bill is to make certain Mainers continue to have a choice in how they heat their homes and/or businesses by preserving their ability to choose the type of fuel and equipment that best suits their needs. This bill does not promote any type of fuel over another. What it does do, though, is protect Mainers from “a single point of failure,” which is likely to occur if we allow mandates of one particular type of energy. Who on this Committee, or anywhere in Maine, doesn’t recall the Ice Storm of 1998 when power lines across the state were downed and Mainers went without electricity for weeks? Were it not for alternate forms of fuel, I dare say that awful situation would have been even worse.

I should also note that while this legislation seeks to preserve an individual’s right to choose their energy source at their home or business, it does not remove any municipal control with regards to safety or health in this area. This bill would not affect a municipality’s ability to regulate heating and energy installations based on safety, which is currently a part of the Maine Uniform Building and Energy Code. It also does not remove the ability for municipalities to regulate the placement of utility pipes or wires in the public right of way based on the safety of the traveling public. Municipalities also have some authority over the siting of commercial energy generating facilities and this legislation would not change that.

Mainers use a wide array of fuels when it comes to heating their homes. In my district, the coldest part of the state, it is common for many homeowners to use multiple sources to heat their homes. Many people in Maine use fuel oil, kerosene, wood, natural gas, electricity and solar. Mainers simply want affordable and reliable energy. We need to guarantee that all these options are available for individuals and businesses based on what is affordable to any given person in all parts of the state.

By taking an all-of-the-above approach to our state's energy needs and avoiding state or municipal policies that seek to limit or remove energy choice, we can avoid the path that will most certainly lead us to that "single point of failure."

Thank you for your time and consideration.