



TESTIMONY of Megan Diver
Vice President
Maine Energy Marketers Association

**BEFORE THE JOINT STANDING COMMITTEE ON
STATE AND LOCAL GOVERNMENT
In Support of LD 556**

***An Act to Preserve Heating and Energy Choice by Prohibiting a Municipality from Prohibiting a
Particular Energy System or Energy Distributor***

Senator Baldacci, Representative Salisbury, and members of the State and Local Government Committee, my name is Megan Diver, I am the Vice President of the Maine Energy Marketers Association (MEMA).

MEMA is a trade association composed of approximately 300-member companies and more than 5,000 direct and 5,000 jobs in the energy delivery and servicing businesses. Our members are delivering heating oil, biofuels, motor fuels, propane, pellets and kerosene, and offering service and installations on the equipment that utilizes these fuels. MEMA also provides heating, ventilation, air conditioning, and refrigeration (HVAC-R), education and training to hundreds of Mainers each year at our Technical Education Center (MTEC) located in Brunswick.

I am here today to submit testimony in support of LD 556. Our efforts to preserve Energy Choice has been supported by many leaders over the past several years. Energy Choice Pledge signers include Governor Mills, Representative Golden, and a wide bipartisan group of state legislators. We want to thank Sen. Harrington for submitting this legislation and Senator Baldacci for his unwavering commitment to this effort.

In today's uncertain world, Maine consumers need an "all of the above" approach to heating their homes and what vehicles they choose to drive. What may look like the best, least expensive, or most versatile energy option today may not be the best solution tomorrow. Diversification of resources is critical to addressing the long-term needs of Maine people, businesses, and government. Diversification also ensures that we will not fall victim to a single point of failure – should one energy source suddenly become unavailable.

LD 556 ensures that Mainers can continue to choose the type of heating source that best suits their individual needs by prohibiting towns and cities from enacting ordinances, regulations, or zoning that bans or restricts heating equipment that uses any particular fuel. The fact is that Maine is one of the coldest states in the nation, and to make it through a Maine winter most of us rely not on just one source of heat, but several – boiler or furnace, wood stove, fireplace, heat pump, and other types of space heaters. Keeping every source of energy and equipment as an option ensure that Mainers will always have a "backup plan" and allows for flexibility today and in our future.

Recently, the semi-annual “Critical Insights on Maine” public opinion poll, showed that 88% of Maine voters believe that government should pass laws that preserve their freedom to choose how they heat their homes and businesses.

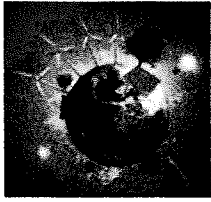
You will hear from opponents that this bill may limit “local control”. I would submit that many of these same people and organizations supported energy choice in 2009 when legislation was passed to prohibit municipalities from prohibiting solar restrictions.

I respectfully ask you to support L.D. 556 so that you and your neighbors can continue to choose the energy source that works for them – be it wind, solar, oil, propane, wood, electric, natural gas, heat pump, or any new energy alternatives that may become available.

Thank you.

Please Support LD 556, Heating and Energy Choice

Preserving Energy and Heating Choice for Maine people and businesses



LD 556 preserves the right of Maine individuals and businesses to choose the type of energy source they use, including wood, gas, oil, and renewable electricity.

Why is LD 556 needed?

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 556 limits the ability of municipalities to enact such restrictions on fuel choice by consumers.

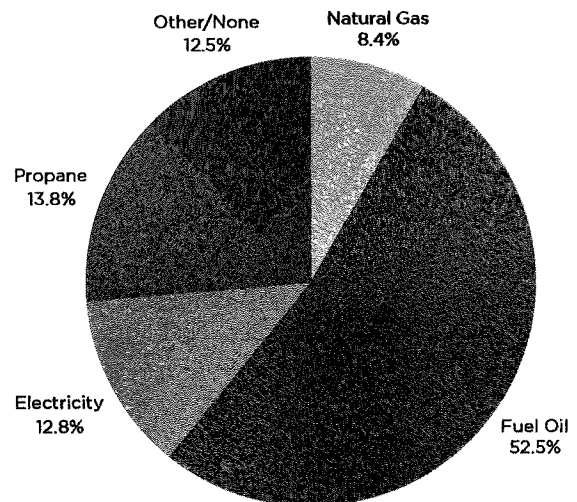
Maine consumers need an “all of the above” approach to heating

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LD 556 preserves local control over safety and health.

- By law, local building codes must follow the *Maine Uniform Building and Energy Code*, which permits regulation of heating and energy installations based on safety. LD 556 does not remove this authority.
- By law, municipalities may regulate the placement of utility pipes or wires in the public right of way based on the safety of the traveling public. LD 556 does not remove this authority.
- LD 556 does not restrict local authority over the siting of commercial energy generating facilities.

Types of residential heating fuel consumed in Maine (2023)



88% of Maine voters surveyed believe Mainers should have the right to choose how they heat their homes and businesses.¹

¹ Critical Insights Survey, Fall 2024.