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*Testimony of Representative Kilton Webb introducing*

### **LD 1850, An Act to Improve Interagency Coordination on Renewable Energy Construction Projects**

*Before the Joint Standing Committee on Energy, Utilities and Technology*

Good afternoon, Senator Lawrence, Representative Sachs and members of the Joint Standing Committee on Energy, Utilities and Technology. My name is Kilton Webb, and I represent House District 98, which includes Durham, Pownal, and parts of Bowdoin, Lisbon and Topsham. Additionally, I am the Director of Membership Development for the International Brotherhood of Electrical Workers Local 567. I am honored to present **LD 1850, An Act to Improve Interagency Coordination on Renewable Energy Construction Projects**.

Over the past several years, we have seen a boom of clean energy projects in our state. This rapid expansion has represented a significant part of Maine's overall job growth since 2019. In fact, according to the Governor's Energy Office (GEO) 2024 Clean Energy Industry Report, our clean energy economy has contributed nearly \$3 billion to Maine's total Gross State Product (GSP) in 2023, representing a little over 3% rise of the state's total GSP. The same report also highlights that roughly 2,600 business establishments in Maine are involved in clean energy activities, representing over 4% of all establishments in Maine. Job growth in clean energy in the past six years occurred at twice the rate of growth in Maine's overall workforce.

As an electrician, I've helped to build some of these projects myself, including several utility-scale projects that now power tens of thousands of Maine homes with affordable, home-grown energy. These projects have created thousands of good-paying jobs. My local union has brought in a record number of apprentices into our apprenticeship program. These jobs are the reason I was able to buy my first home two years ago. They have given me great healthcare and access to a pension that follows me around no matter who I work for. I often hear critics dismiss these by saying they're just temporary jobs. But let me tell you: I'm a construction worker, where all jobs are temporary. In construction, we like to say we work ourselves out of a job and are always seeking the next one. But construction workers like me make an entire career by stringing together

temporary jobs, and right now, the clean energy economy in Maine has been a huge driver of good, stable construction work closer to home.

But I'm well aware that despite all of the good jobs and homegrown affordable energy, growth at this pace also comes with real challenges that impact a whole ecosystem of stakeholders. Many of these impacts stem from a lack of a centralized database that systemically provides visibility across the permitting and development process. As a worker, for example, I can tell you many stories about being on projects where wage, hour, training or safety violations have occurred without any corrective action by the relevant agencies, not because of any ill intent or malpractice but simply due to the fast pace of growth and lack of clear coordination with other agencies that have a hand in permitting projects.

To share just one short anecdote that illustrates the issue: LD 1282 was passed by the 129th Legislature and required contractors building renewable energy projects greater than two megawatts to employ a certain number of registered apprentices in each craft. However, more than two years after rules were finalized and the law was in effect, only two contractors had even attempted to comply. Both contractors said they were unable to find any qualified apprentices. Over this same period of time, dozens of qualifying projects were developed and fully built, totaling many hundreds of megawatts of electricity, and none of them interacted with the Maine Department of Labor (MDOL), who was charged with enforcing the rules. Hundreds of apprentices were brought into the relevant trades over that period of time, including in my own union, and plenty of them would have been available. When we asked the MDOL about this apparent disconnect, they said they had no way to proactively identify which projects were subject to this or any of the other recent laws governing labor standards in clean energy.

To be clear, most of the developers, contractors and subcontractors on clean energy projects are good actors who follow the law. But when mistakes are made and violations occur, it's in the interest of not only workers, but also of every other contractor and developer who is playing by the rules, that corrective action can be fairly, consistently and proactively taken. Having a database, as this bill proposes, that tracks clean energy projects over their development lifecycle from their initial conception to the moment they start sending electrons onto the grid, can provide much needed transparency, accountability and fairness for workers, developers and contractors.

This bill isn't just about ensuring workers get their legal dues. It's also about striking a helpful balance between the development community's desire for a rationalized, predictable permitting process that isn't endless, together with the need of our own state agencies to have reliable information to inform smart public policy. As this committee knows all too well, permitting of clean energy projects in Maine typically touches a number of different departments and areas of state government. In addition to relevant labor standards associated with the MDOL, a project might seek RECs or a power purchase agreement through the Public Utilities Commission (PUC), stormwater or other construction permits from the Department of Environmental Protection (DEP) or interact with the Department of Agricultural Conservation and Forestry's (DACF) farmland program for solar. Larger wind or solar projects might need approvals from the Land Use Planning Commission or other permits under Maine's Natural Resources Protection Act. Meanwhile it's up to GEO to keep track of how many megawatts actually get built in any given year, and retroactively make sure we are on track to meet our statutory goals.

Given this alphabet soup of agencies and permits, this bill tasks the GEO or its successor agency with ensuring coordination between state agencies, sharing appropriate information with each other to allow requisite enforcement and collecting in one place all of the information that currently is dispersed across state government. I want to highlight just a few of these project attributes, some of which were added in the sponsor amendment before you. In addition to tracking whether a project falls under current Maine labor laws governing clean energy, the bill tasks the GEO with collecting and displaying:

- The name and owner of a project;
- Information about a project's locational characteristics that are generally hard to find, including: its physical address, latitude and longitude, geospatial data of the project's footprint or outermost boundary and the current land use of the parcel proposed for the project;
- The project's nameplate capacity;
- The status of its permits across DACF and DEP;
- Whether it has sought or will seek out federal assistance, including tax credits; and
- And whether and in what class the project will count towards Maine's renewable portfolio standard.

Both individually and collectively, this data is often challenging to find. When pieced together, this data can help inform better policy decisions. For example, you can imagine making better policies based on systematic access to the actual footprints of planned or built projects. Likewise, one can imagine more quickly identifying permitting or other development bottlenecks by tracking the status of permits across agencies, project types and over time. Most importantly, having forward-looking data could help the PUC, GEO or its successor agency in better planning the timing and quantity of clean energy procurements needed to meet Maine's statutory targets.

Most importantly, however, the goal of this database is to make all of this information available to the public. I see a huge benefit to rural municipalities, planning boards, land use commissions, tribal governments and residents across our state having access to systemic, up-to-date information about what might be coming down the road for their region of community and whom they can contact for more information. When an information asymmetry forces towns into simply being reactive to development, I can understand why some of them might want to hit the pause button. My hope is that by passing this bill and developing and maintaining this database, it could become a resource that empowers local communities to welcome development proactively and on their own terms.

This bill is the result of a collaborative process and ongoing dialog with the Maine Renewable Energy Association, MDOL and the GEO – all of whom you'll hear from today. In addition, I wanted to note that we've had several very productive conversations about the bill with DEP and DACF, and although they are unable to testify due to capacity reasons, they have been very supportive of the concept, and in fact have already taken some steps to collect and track certain pieces of the data that would go into this database.

Thank you for your time and consideration of this bill. I am happy to answer any questions you may have.