



April 9, 2021

Senator Craig Hickman, Chair
Representative Mike Sylvester, Chair
Committee on Labor and Housing
100 State House Station
Augusta, ME 04333

Re: Testimony in opposition to LD 1231, “An Act Concerning Climate and Community Investment Projects”

Senator Hickman, Representative Sylvester, members of the Labor and Housing Committee, my name is Jeremy Payne and I am the Executive Director of the Maine Renewable Energy Association (MREA). MREA is a not-for-profit association of renewable energy producers, suppliers of goods and services to those producers, and other supporters of the industry. MREA members sustainably manufacture electricity from hydro, biomass, wind, tidal, and solar.

The MREA is opposed to the original LD 1231, as well as the amended version being offered today by Representative Cuddy. While we certainly share some of the same goals found within the legislation – a high quality and Maine-based workforce, clean and Maine-made electricity, and progress toward meeting our climate goals – we do not believe this legislation is the right approach to achieving our clean energy goals through government mandates.

The private marketplace will accomplish many of these same priorities – e.g. <https://www.pressherald.com/2021/04/07/contractors-developer-promote-offshore-wind-jobs-deal-for-maine/> -- without the need to effectively hamstring other companies who choose not to pursue the use of a Project Labor Agreements (PLA). The amended version of the bill does take a somewhat less aggressive approach to the use of a PLA by not explicitly mandating their use; however, due to the fact it provides bonus points to a bidder through a Public Utilities Commission-administered request for proposals, the message is clear to bidders: include a PLA or you will face a competitive disadvantage.

We have deep concerns about the changes proposed at the top of page 3 of the amendment regarding “Electrical installations.” For the committee’s benefit, this issue has been undergoing a review by the Electricians’ Examining Board for over a year as it relates to what is, or is not, work required to be performed by licensed electricians. The current rule creates tremendous ambiguity for the burgeoning solar energy industry – which is why the Board has begun a rulemaking process – due to the fact it could be seen as requiring a licensed electrician to perform the “complete installation.” It stands to reason that we do not want licensed electricians doing earth work, constructing operations and maintenance buildings, carrying solar modules from a supply vehicle, and building racking and support systems. The Board has been wrestling

www.renewablemaine.org

with this issue as it seeks to create clarity for solar companies and also ensures there are not health and safety issues associated with the installation of solar farms. It is commonly understood that Maine has a narrow supply of licensed electricians to perform this work, which should lead us to surgically deploy these folks to perform true electrical work – not the building of non-electrical items such as racking, rails, frames, purlins and other parts of the support structure – to avoid cost overruns and project delays. We strongly encourage the committee to allow the Board to complete its work and identify a common sense, middle ground that provides all parties clarity and cost certainty. It is quite clear the growth of the solar industry will lead to additional workers being identified in this field and many of our members are actively involved in these efforts, but this can and will be accomplished through the free marketplace.

We respectfully encourage the committee to vote ought not to pass.¹

Thank you for your time and consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'J. Payne', with a stylized flourish at the end.

Jeremy N. Payne
Executive Director

¹ All of the views expressed in this document do not necessarily represent the positions of each of our members. Since MREA represents a broad spectrum of companies, we anticipate some members may submit comments of their own.