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Senate Legislative Record

One Hundred and Thirty-First Legislature

State of Maine

Daily Edition

First Special Session

Beginning April 5, 2023

Beginning with Page S-387

Signed:

Senators:
RAFFERTY of York
PIERCE of Cumberland

Representatives:
BRENNAN of Portland
DODGE of Belfast
MILLETT of Cape Elizabeth
MURPHY of Scarborough
SARGENT of York
WORTH of Ellsworth

The Minority of the same Committee on the same subject reported that the same **Ought Not To Pass**.

Signed:

Senator:
LIBBY of Cumberland

Representatives:
BAGSHAW of Windham
LYMAN of Livermore Falls
POLEWARCZYK of Wiscasset
SAMPSON of Alfred

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-352)** Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-352)**.

Reports **READ**.

On motion by Senator **RAFFERTY** of York, the Majority **OUGHT TO PASS AS AMENDED** Report **ACCEPTED**, in concurrence.

Resolve **READ ONCE**.

Committee Amendment "A" (H-352) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

Out of order and under suspension of the Rules, the Senate considered the following:

REPORTS OF COMMITTEES

Senate

Divided Report

The Majority of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act to Amend the Net Energy Billing Laws to Require Net Energy Billing Credits to be Nonlapsing"
S.P. 226 L.D. 509

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-202)**.

Signed:

Senators:
LAWRENCE of York
GROHOSKI of Hancock

Representatives:
ZEIGLER of Montville
BOYLE of Gorham
GEIGER of Rockland
KESSLER of South Portland
RUNTE of York
WARREN of Scarborough

The Minority of the same Committee on the same subject reported that the same **Ought Not To Pass**.

Signed:

Senator:
HARRINGTON of York

Representatives:
BABIN of Fort Fairfield
DUNPHY of Embden
FOSTER of Dexter
PAUL of Winterport

Reports **READ**.

Senator **LAWRENCE** of York moved the Senate **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report.

THE PRESIDENT: The Chair recognizes the Senator from Aroostook, Senator Stewart.

Senator **STEWART**: Thank you very much, Mr. President, and ladies and gentlemen of the Senate - geez, it's been a long day. I'm not going to right this second, but at some point, I'm going to ask for a tabling motion.

We've got a number of questions here on this bill, including what the impact of the rollover of the credits. So, to set the table a little bit here, so, this bill would allow for any excess that's generated beyond the kilowatt limit in the net energy billing program to go towards the - I believe it's the LIAP program, which is a laudable cause and I think what we're trying to do here is understand what the actual effect of that is going to be. And by that, what I mean is what is the impact to the other ratepayers if there's an overgeneration or - yeah, I think that's the right phrasing, overgeneration for some of these rooftop solar projects, smaller-scale solar projects? What effect does that have on the rest of the folks that are in the grid and do those credits get paid for by everybody else? In other words, are we socializing that benefit towards LIAP through - across the other ratepayers or is something else happening there? And I don't know the answer to that. As well as what is the impact to the individual behind the meter in terms of are those credits that are then given to LIAP, are those - could those be used as tax deductions or something

else in terms of a benefit towards the owner of that property? And there was one more question that we had, and maybe somebody else from the caucus could help me out with remembering what that was, but those are the big ones, is what's the effect of this change here, because it was sort of understood that the reason - there's a reason for the cap, and if we're going to go beyond it, regardless of the circumstances, what's the effect of that. So, I'll leave it there for now. Thanks.

THE PRESIDENT: The Senator from Aroostook, Senator Stewart, has posed a series of questions through the Chair that he definitely could not answer. The Chair recognizes the Senator from York, Senator Lawrence.

Senator **LAWRENCE**: Thank you, Mr. President. And I think I understand and remember all the questions, but the effects of this bill is very good. These lapsed credits, which currently just lapse and go to the benefit of the utilities will go to the LIAP program, and that will save ratepayers and taxpayers money because we don't have to put more money in the LIAP program to get it to work effectively. So, rather than just letting these credits lapse, we allow them to go into LIAP program, which will help to better fund the LIAP program, and save those - save the other ratepayers from having to put more money into the LIAP program.

THE PRESIDENT: The Chair recognizes the Senator from Aroostook, Senator Stewart.

Senator **STEWART**: Thank you, Mr. President. I just recalled what my other question was. I appreciate the help there. So, if - is there any sort of planned reduction in General Fund dollars that we'd otherwise set aside for LIAP? Would this offset some of that? What's the dollar-for-dollar effect of that in terms of if we are sliding credits over there, what does that actually look like in terms of funds to that program, as part one of that question. And then part two is, is there any - and I suppose this would probably be taking place down in appropriations more than anywhere else - but is there any plan to offset there in terms of how we budget for that program as a state if this change was to go forward and what would that new dynamic look like? Thank you.

THE PRESIDENT: The Senator from Aroostook, Senator Stewart, has posed a series of questions through the Chair to anyone who can answer. The Chair recognizes the Senator from York, Senator Lawrence.

Senator **LAWRENCE**: Thank you, Mr. President. There is no money that comes from or to the General Fund to compensate for this. We don't reduce the amount of the General Fund going into the LIAP program because these credits are being put into the LIAP program. Just to let the good member know, and I know he used to be a member of the committee, the Office of the Public Advocate has come in and said they are $15 million short each year in the amount of funds they need to put into low income - low-income programs, and they are going around and searching for that money, and I'm sure they're going to be going to appropriations. So, the more of these types of little pockets of money we can find and put in the LIAP program, the less pressure there is on the General Fund to pay for the LIAP program.

THE PRESIDENT: The Chair recognizes the Senator from Aroostook, Senator Stewart.

Senator **STEWART**: Thank you very much, Mr. President. I appreciate all the answers there and the back and forth. With that, Mr. President, I move to table this item until later in today's session.

On motion by Senator **STEWART** of Aroostook, **TABLED** until Later in Today's Session, pending the motion by Senator **LAWRENCE** of York to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report.

Divided Report

The Majority of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Resolve, to Provide Legislative Approval of Northern Maine Transmission Infrastructure

S.P. 395 L.D. 924

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-203)**.

Signed:

Senators:
LAWRENCE of York
GROHOSKI of Hancock

Representatives:
ZEIGLER of Montville
BABIN of Fort Fairfield
BOYLE of Gorham
GEIGER of Rockland
KESSLER of South Portland
RUNTE of York
WARREN of Scarborough

The Minority of the same Committee on the same subject reported that the same **Ought Not To Pass**.

Signed:

Senator:
HARRINGTON of York

Representatives:
DUNPHY of Embden
FOSTER of Dexter
PAUL of Winterport

Reports **READ**.

Senator **LAWRENCE** of York moved the Senate **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report.

THE PRESIDENT: The Chair recognizes the Senator from Aroostook, Senator Stewart.