

**Legislative/Nominating
Committee Meeting Agenda**
January 9, 2024



MEMBERS
Mayor Mark Dion, Chair
Councilor Pious Ali
Councilor April Fournier
Councilor Kate Sykes

REMOTE ACCESS INFORMATION:

This meeting will be conducted remotely via Zoom pursuant to the Remote Meeting Policy adopted by the Portland City Council. Allow your computer to install the free Zoom app to get the best meeting experience. If you are not able to attend live either in person or via Zoom, a recording will be available in the [Agenda Center](#) following the meeting.

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Webinar ID: 868 9178 0909

I. Call to Order

II. Approval of Meeting minutes

- a. Minutes from the October 31, 2023 Legislative/Nominating Committee Meeting

III. 2024 Committee Administration

- a. Overview: State Legislative Process (Bernstein Shur)
- b. Overview: Committee Process (Mayor Mark Dion, Chair)
- c. Review: 2024 Work Plan (Mayor Mark Dion, Chair)

IV. Legislative Update

- a. LD list and tracker (Bernstein Shur)
- b. Review and Discussion of Draft Testimony in Opposition to LD 1465 (*An Act to Amend the Calculation of Tariff Rates and Billing Credits Under Net Energy Billing*) (staff)

V. Other Business

VI. Adjournment

**Legislative/Nominating
Committee Minutes**
October 31, 2023



MEMBERS
Mayor Kate Snyder, Chair
Councilor April Fournier
Councilor Pious Ali
Councilor Regina Phillips

I. Call to Order

Mayor Kate Snyder (Chair) called the meeting to order at 8:04am. In attendance were Councilor April Fournier, Councilor Pious Ali, Councilor Regina Phillips, City Manager Danielle West, Dena Libner (Chief of Staff), Alfredo Vergara (Public Health Administrator), Chris Feeney (Bernstein Shur), and Alysia Melnick (Bernstein Shur).

II. Approval of Meeting minutes

- a. Minutes from the meeting of Sept. 19, 2023

Councilor Fournier made a motion to approve the minutes, seconded by Councilor Phillips, vote (4-0).

III. Legislative Update

- a. Discussion: LD 1896 (*An Act to Index Workers' Compensation Benefits to the Rate of Inflation*)
b. Discussion: Committee on Health and Human Services 10/25 Work Session

IV. Other Business

- a. Review of staff testimony to Maine Recovery Council, re: top priorities for opioid settlement funds (Alfredo Vergara, Public Health Administrator)

Committee members expressed support for submission of testimony.

V. Adjournment

Councilor Fournier made a motion to adjourn the meeting, seconded by Councilor Phillips, vote (4-0). The meeting was adjourned at 8:57 am.

MEMORANDUM

To: Portland City Council

From: Bernstein Shur

Date: 1/3/24

Re: Maine's Legislative Process

Maine's part-time Legislature is composed of a Senate (35 members) and a House of Representatives (151 members); members of both Houses are elected for two-year terms and are limited to four consecutive terms.

The Legislature meets annually in regular session. The first regular session convenes on the first Wednesday in December after the general election and typically adjourns in June. The current legislature, Maine's 131st Legislature, concluded its first regular session this past July. The second regular session is set to convene January 3 and is scheduled to adjourn the third week in April.

During the first regular session of the Legislature, there are no formal limitations on the bills that may be introduced prior to cloture. The Second Regular Session of the Legislature is limited by the Constitution to budgetary matters, the Governor's legislation, legislation of an emergency nature approved by the Legislative Council, legislation submitted pursuant to authorized studies, and legislation submitted by direct initiative petition of the electors.

Virtually all bills that are put forward are reviewed, analyzed and discussed by one or more legislative committees before they are considered on their merits by the full Legislature. Bills are referred to committees by both houses, receive a public hearing, are worked on in committee work sessions, and are given a recommendation, or "report," by the committee to the whole Legislature.

The public hearing, presided over by a committee chair, allows legislative sponsors to explain the purpose of the bill and citizens, state officials and lobbyists to tell committee members their views on a bill. The City of Portland will often submit written testimony or testify in-person at public hearings on legislation pertaining to the City at the request of the City Council's Legislative Committee.

After a public hearing, legislative committees hold work sessions to allow committee members to discuss bills thoroughly and vote on the committee's recommendation, or report, to the Legislature. The

committee works with the legislative analyst to draft amendments or review amendments proposed by others. Some bills require several work sessions.

Work sessions are open to the public and, at the invitation of the committee, department representatives, lobbyists and others may address the committee about bills being considered, suggest compromises or amendments, and answer questions. The committee may also ask its legislative analyst to research and explain certain details of the bill.

The committee's decisions on bills and amendments are expressed by votes on motions made during a work session; the final action is called a "committee report." The report a bill receives is often the most important influence on its passage or defeat. Several types of unanimous and divided reports on a bill are possible.

Once a bill is reported out by a committee, it is returned to the house in which it originated. To be enacted, bills must pass through at least four steps on the floor of both the House and Senate: first reading, second reading, engrossment and enactment.

After a bill has been enacted by the Legislature, it is sent to the Governor, who has 10 days (not counting Sundays) to exercise one of three options. The Governor may sign the bill, veto the bill, or allow it to become law without signature. A bill becomes law 90 days after the end of the legislative session in which it was passed.



Legislative Process of the City Council's Legislative/Nominating Committee

This process relates primarily to Committee work in preparation for and during the First Regular Session of the Maine State Legislature.

City Manager compiles City Staff legislative priorities and discuss with Legislative Committee; Committee also reaches out to City Council, Board of Education, and Superintendent for legislative priorities; Committee decides what to pursue



Legislative Committee develops Legislative Agenda and meets with delegation to discuss agenda and to hear delegation's priorities



Legislative Committee presents proposed agenda on sponsored bills to city council as a council



Submit Action Plan for Legislative Agenda

If emergency arises throughout the Legislative Session, Lobbyist will discuss with Mayor, City Staff, and Legislative Committee (if possible) and Legislative Committee Chair to determine best course of action

Tracking List of Approved Bill Titles:
City Staff/Lobbyist/Legislative Committee track bills via tracking list throughout drafting, release, committee process until chaptered law

Weekly meetings soon after Friday update of tracking list; Priority position assigned to bills by Committee

City staff draft testimony; Legislative Committee determines lead resources

Memorandum

TO: Chair Ali and Members of the Portland Legislative Committee
FROM: Michael Murray, Assistant to the City Manager
CC: Jon P. Jennings, City Manager
SUBJECT: Legislative Committee Process
DATE: November 6, 2018

At the October 10, 2018 Legislative Committee meeting, the Committee requested that City staff prepare a memorandum that outlines the Committee process for establishing the City's legislative agenda, and specifically addresses how the Committee deals with externally generated bills, the City's priorities and the Committee's/staff's role during the legislative session. The following summary seeks to address each of these items:

I. City Legislative Agenda

- First, the City Manager requests that departments/staff submit their legislative priorities. For instance, with the upcoming legislative session, the City Manager set November 1, 2018 as the deadline for departmental/staff submissions. Similarly, the Chair of the Legislative Committee will also request that individual City Councilors submit any legislative priorities.
- Next, the City Manager reviews and assembles the priorities, and submits them to the Legislative Committee for review.
- The Legislative Committee then reviews all of the submitted priorities, and makes its final recommendation on the priorities the Committee wishes to advance to the Delegation.
- The Legislative Committee then meets with the Legislative Delegation to discuss its priorities, as well as listen to the delegation's priorities. Develop a legislative agenda and relevant bill titles and submissions.
- Finally, the Legislative Committee finalizes its legislative agenda and submits it as a communication to the Portland City Council.

II. Externally Generated Bills

- The Committee may also review a list of legislative issues that generally come up during each legislative session and/or are carry over bills from last session. This list, developed

by the City lobbyist, may also contain priorities that generally result in bill submissions each session.

- Once cloture takes place, City staff and the City lobbyist will read each bill title, and those bills that may have an outcome that may impact the City are placed on the Legislative Committee meeting agenda for review and consideration. Those bills that the Committee takes a position on will be placed on a priority tracking list, along with the bills of general importance mentioned above, and the bills that are part of the City legislative agenda.
- The Legislative Committee will review the tracking list and assign a priority ranking to each bill.
- The bills that are on the tracking list will be tracked by the City lobbyist and City staff throughout the drafting, and printing/release.

III. The Legislative Session

- During the Legislative session the Committee will hold weekly meetings with the lobbyist, City staff and the Delegation in order to receive an update on each bills status. The City Manager will provide an update on staff involvement on bills.
- The Committee will also determine the extent of City participation on each bill, i.e. letter of support, testimony, etc.
- When emergencies arise or amendments are offered with a short time frame to make a decision, the City's lobbyist will discuss the issues with City staff, the Legislative Committee (if time permits), the Committee Chair, or the Mayor in order to determine the best course of action on each particular issue.



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City of Portland, City Council Legislative & Nominating Committee

2024 Work Plan

Context: 2024 City Council Goals

1. Improve DEI;
2. Impact Housing Affordability Crisis;
3. Act on One Climate Future Recommendations;
4. Office of Community Engagement.

Legislative Goals

Primary:

- General Assistance
 - Pursue legislation that improves GA administration statewide
 - Amending General Assistance Statute to Clarify Municipality of Responsibility
 - Establish Centralized GA Application Intake Process
 - Increasing the General Assistance Reimbursement Rate
 - Influence administration of and processes related to Office of New Americans

Secondary:

- Funding for the Portland Harbor Dredge Project
- Local Option Sales Tax

Legislative Committee:

1. Committee meetings every 2nd and 4th Tuesday morning at 8:00am during Legislative Session;
2. Joint Meetings with Legislative Delegation every fourth Friday of the month at 8:00am;
3. Establish federal priorities in advance of Hill Day (March);
4. Prepare and Deliver Testimony from City of Portland;
5. Committee meetings as needed outside of Legislative Session;
6. Coordinate In-Person Meeting between Portland delegation and Councilors post-Session.

Nominating Committee:

1. Work with City Clerk to establish interview dates and processes throughout the year, as needed, for candidates seeking nominations to Boards & Commissions;
2. Forward Committee recommendations for nominations to City Council for consideration and appointment.

The following legislative documents (LDs) were recently released by the Office of the Revisor of Statutes, and are related to the 2024 Council Common Goals and/or the confirmed priorities of the 2024 Legislative/Nominating Committee (LNC). The goal or priority the bill relates to will be included in this document whenever possible.

Staff may also include LDs that are expected to have a significant operational impact on the City of Portland, and will be available to answer questions as needed.

Bills on which the LNC takes a formal position (by vote) will be monitored by Bernstein Shur throughout the session. Bernstein Shur will also prepare testimony to be delivered at public hearings on those bills. Whenever possible, testimony will be shared with LNC in advance.

[LD 1465: An Act to Amend the Calculation of Tariff Rates and Billing Credits Under Net Energy Billing](#) (Sustainability)

[LD 2077: An Act Regarding Customer Costs and the Environmental and Health Effects of Natural Gas](#) (Sustainability)

[LD 2129: An Act to Establish a Statewide Sexual Assault Forensic Examination Kit Tracking System and Conduct an Inventory of Existing Forensic Examination Kits in the Possession of Law Enforcement](#) (Police Department)

[LD 235: An Act to Promote Economic Development in the Fishing Industry by Funding a Dredging Project in Portland Harbor](#)

[LD 1156: An Act to Authorize a General Fund Bond Issue to Promote the Design, Development and Maintenance of Trails for Outdoor Recreation and Active Transportation](#)

[LD 2136: An Act to Provide Financial Support for Shelters for Unhoused Individuals: A \\$10M disbursement to MSHA to subsidize homeless shelters](#) (Homelessness / Equity)

[Ld 2138: Resolve, to Improve Funding for Homeless Shelters](#) (Homelessness / Equity)

[LD 2146: An Act to Prohibit Certain Municipalities from Adopting Moratoria on Emergency Shelters](#) (Homelessness / Equity)

LD #	Category	Title	Sponsor	Cmte	Bill Information	COP Position	Public Hearing	Work Session	Status	LR #	Notes	Priority
787	Asylum seekers	An Act to Create the New Maine Resident Service Coordination Program in the Department of Economic and	Bennett	IDEA	Bill Text	Support	3/21/23 1:00 PM Rm 206 COB	5/9/23 2:00 PM Rm 206 COB	MAJ: OTP-AM MIN: ONTP Reported out	904	Carried over - Appropriations Table 7/26/23	
235	Dredging	An Act to Promote Economic Development in the Fishing Industry by Funding a Dredging Project in Portland	Brennan	TRAN	Bill Text	Support	1/16/24 1:00 PM Rm 126 SH	5/23/23 1:00 PM Rm 126 SH	Tabled 5/23/23	864	Carried over 7/26/23	Y
236	Dredging	An Act to Authorize a General Fund Bond Issue to Support the Economic Development of the Fishing Industry and the Portland Harbor Dredging	Brennan	AFA	Bill Text	Support	4/27/23 1:00 PM Rm 228 SH			865	Carried over 7/26/23	Y
1426	GA	An Act to Secure Housing for the Most Vulnerable Maine Residents by Amending the Laws Governing Municipal General Assistance	Mathieson	HHS	Bill Text	Monitor	5/5/23 10:00 AM Rm 209 COB	5/22/23 1:00 PM Rm 209 COB	Tabled 5/22/23	656	Carried over 7/26/23	
1480	Harbor	An Act to Protect Union Wharf and Sustain Maine's Maritime Industries (Bond)	Brenner	AFA	Bill Text	Support	4/24/23 10:00 AM Rm 228 SH			974	Carried over 7/26/23 Testimony submitted	
226	Housing	An Act to Address Maine's Affordable Housing Crisis (Emergency)	Millet	Housing	Bill Text	Monitor	4/14/23 9:01 AM Rm 216 COB	5/5/23 9:00 AM Rm 216 COB	OTP-AM Reported out 6/21/23	791	Carried over - Appropriations Table 7/26/23	
314	Housing	An Act to Establish the Permanent Commission on the Status of Housing in Maine	Hickman	Housing	Bill Text	Monitor				2107	Carried over 7/26/23	
337	Housing	An Act to Amend the Regulations of Manufactured Housing to Increase Affordable Housing	Golek	Housing	Bill Text	Monitor				1984	Carried over 7/26/23	
599	Housing	An Act to Provide Support Services for a Transitional Housing Program for Homeless Persons	Brennan	HHS	Bill Text		4/14/23 10:00 AM Rm 209 COB	5/9/23 1:00 PM Rm 209 COB	MAJ: OTP-AM MIN: ONTP Reported out	1507	Carried over - Appropriations Table 7/26/23	

LD #	Category	Title	Sponsor	Cmte	Bill Information	COP Position	Public Hearing	Work Session	Status	LR #	Notes	Priority
1074	Housing	An Act to Authorize a General Fund Bond Issue to Fund New Affordable Housing for Low-income Households (Bond)	Daughtry	AFA	Bill Text	Monitor	4/25/23 1:00 PM Rm 228 SH			358	Carried over 7/26/23	
1298	Housing	An Act to Allow a Local Option Sales Tax on Short-term Lodging to Fund Affordable Housing	Skold	TAX	Bill Text	Support				2113	Carried over 7/26/23 Testimony requested	
1538	Housing	An Act to Provide Tax Benefits to Persons Constructing Accessory Dwelling Units	Brenner	TAX	Bill Text	Monitor	5/10/23 10:00 AM Rm 127 SH	1/11/24 1:00 PM Rm 127 SH		142	Carried over 7/26/23 Need staff input	
1721	Housing	An Act to Create Transitional Housing Communities for Homeless Populations in the State	Duson	Housing	Bill Text	Support	5/12/23 9:00 AM Rm 216 COB	1/5/24 9:30 AM Rm 216 COB	Tabled 5/26/23	1022	Carried over 7/26/23 Strong support - Mayor testified	
1893	Housing	An Act to Allow a Municipality to Impose a Fee on Short-term Rentals for the Benefit of That Municipality	Strout	TAX	Bill Text					224	Carried over 7/26/23	
1904	Housing	An Act to Enact the Maine Fair Chance Housing Act	Talbot Ross	JUD	Bill Text		5/15/23 10:00 AM Rm 438 SH	5/24/23 1:00 PM Rm 438 SH	Tabled 5/24/23	574	Carried over 7/26/23	
2136	Housing	An Act to Provide Financial Support for Shelters for Unhoused Individuals	Mastraccio	Housing	Bill Text					2714		
2138	Housing	Resolve, to Improve Funding for Homeless Shelters	Madigan	Housing	Bill Text					2767		
2146	Housing	An Act to Prohibit Certain Municipalities from Adopting Moratoria on Emergency Shelters	Lookner	SLG	Bill Text					2932		
2158	Housing	An Act to Improve the Housing Voucher System	Golek	LH	Bill Text					2938		
	Housing	An Act to Create Workforce Housing to Promote Economic Development in Maine	Daughtry							2752		

LD #	Category	Title	Sponsor	Cmte	Bill Information	COP Position	Public Hearing	Work Session	Status	LR #	Notes	Priority
25	Other	An Act to Provide Indigenous Peoples Free Access to State Parks	Hickman	ACF	Bill Text	Monitor	1/25/23 9:00 AM Rm 214 COB	1/8/24 10:30 AM Rm 214 COB	Tabled 5/22/23	82	Carried over 7/26/23	
288	Other	An Act Concerning Housing and Support Services for At-risk Youth and Youth Who Have Committed Juvenile Crimes	Lookner	CJPS	Bill Text	Monitor	5/9/23 1:00 PM Rm 436 SH	1/10/24 10:00 AM Rm 436 SH	Tabled 5/15/23	1142	Carried over 7/26/23	
1107	Other	Resolve, to Establish a Pilot Project to Improve Access to Credit for Low-income Individuals	Zager	LH	Bill Text	Monitor	3/28/23 1:30 PM Rm 202 COB	4/27/23 1:00 PM Rm 202 COB	MAJ: OTP-AM MIN: ONTP Reported out 5/12/23	1084	Carried over - Appropriations Table 7/26/23	
1584	Other	An Act to Provide Funding for the Supplemental Nutrition Assistance Program to Restore Benefits Reduced by the Federal Government (Title change)	Stover	HHS	Bill Text	Support	5/1/23 1:00 PM Rm 209 COB	5/9/23 1:00 PM Rm 209 COB	MAJ: OTP-AM MIN: ONTP Reported out 6/20/23	2484	Carried over - Appropriations Table 7/26/23 Mayor to testify via Zoom. Testify in support - significant usage of SNAP in Portland, Councilor Fournier to testify - no written record of testimony provided	
1896	Other	An Act to Index Workers' Compensation Benefits to the Rate of Inflation	Nangle	LH	Bill Text	Monitor	5/11/23 1:00 PM Rm 202 COB	5/16/23 1:00 PM Rm 202 COB	Tabled 5/16/23	2397	Carried over 7/26/23	
2079	Other	An Act to Strengthen Firefighters' Collective Bargaining Rights (Emergency)	Roeder	LH	Bill Text					2869		
2088	Other	An Act to Change the Number of Agency Liquor Stores Allowed in Certain Municipalities	Daughtry	VLA	Bill Text					2638		

LD #	Category	Title	Sponsor	Cmte	Bill Information	COP Position	Public Hearing	Work Session	Status	LR #	Notes	Priority
2094	Other	Resolve, to Require the Establishment of a Stakeholder Group to Examine and Improve the Recruitment, Retention and Wellness of Law Enforcement Officers	Jackson	CJPS	Bill Text					2906		
2101	Other	An Act Regarding Municipal Shoreland Zoning Enforcement	Nangle	SLG	Bill Text					2899		
2111	Other	An Act Regarding the Timeline for Property Tax Abatement Based on Hardship or Poverty	Timberlake	TAX	Bill Text					2694		
2135	Other	Resolve, to Investigate and Address Municipal Solid Waste Disposal Services Issues (Emergency)	Dill	ENR	Bill Text					2798		
	Other	An Act Regarding the Property Value Reassessment Process	Ankeles							2718		
772	Permitting	An Act to Establish a Process to Vest Rights for Land Use Permit Applicants	Pouliot	Housing	Bill Text	Monitor	11/14/23 10:00 AM Rm 216 COB	1/5/24 9:30 AM Rm 216 COB		1486	Carried over 7/26/23	
1975	Public health	An Act to Implement a Statewide Public Health Response to Substance Use and Amend the Laws Governing Scheduled Drugs	Crafts	HHS	Bill Text	Monitor	1/17/24 10:00 AM Rm 209 COB	Work session held 5/24/23	Tabled 5/24/23	1689	Carried over 7/26/23	
1409	Public safety	An Act to Require Reimbursement When a Municipality Hires First Responders Whose Training Costs Were Incurred by Another Municipality	Fay	SLG	Bill Text	Monitor	4/25/23 1:00 PM Rm 214 COB	5/19/23 9:55 AM Rm 214 COB	Tabled 5/19/23	2096	Carried over 7/26/23 Staff opposed	
1751	Public safety	An Act to Maximize Federal Funding in Support of Emergency Medical Services	Curry	HHS	Bill Text	Support	5/1/23 10:00 AM Rm 209 COB	5/11/23 1:00 PM Rm 209 COB	Tabled 5/11/23	494	Carried over 7/26/23 Testimony submitted	

LD #	Category	Title	Sponsor	Cmte	Bill Information	COP Position	Public Hearing	Work Session	Status	LR #	Notes	Priority
860	Rail	An Act to Identify the Railroad Lines from Portland to Bangor as a Major Corridor and to Fund a Feasibility Study	Baldacci	TRAN	Bill Text	Monitor	4/12/23 1:00 PM Rm 126 SH	Work session held 5/30/23	Tabled 5/30/23	645	Carried over 7/26/23	
1957	Rail	An Act to Authorize a General Fund Bond Issue to Invest in Maine's Railroad Infrastructure (Bond)	Collings	AFA	Bill Text	Monitor	5/25/23 2:00 PM Rm 228 SH			2390	Carried over 7/26/23	
1710	Rental assistance	An Act to Establish the Maine Rental Assistance and Guarantee Program and Amend the Laws Regarding Tenants and the Municipal General Assistance Program	Golek	Housing	Bill Text	Monitor	5/12/23 9:00 AM Rm 216 COB	1/5/24 9:30 AM Rm 216 COB	Tabled 5/26/23	833	Carried over 7/26/23	
996	Revenue	An Act to Allow a Municipality to Establish a Local Option Sales Tax	Gramlich	TAX	Bill Text	Support				2326	Carried over 7/26/23 Testimony requested. No public hearing scheduled.	
1402	Schools	An Act to Provide an Additional Allocation in the School Funding Formula to Cover Tax-exempt Property or a Large Economically Disadvantaged Student Population (Emergency)	Brennan	EDU	Bill Text	Support	4/12/23 1:00 PM Rm 208 COB	5/25/23 1:00 PM Rm 208 COB	Tabled 5/25/23	724	Carried over 7/26/23 Testimony?	
1422	Schools	An Act to End Homelessness and Assist Students Who Are Homeless by Establishing a Rental Subsidy Program (Emergency)(Title change)	Brennan	Housing	Bill Text		4/14/23 9:00 AM Rm 216 COB	4/18/23 1:00 PM Rm 216 COB	OTP-AM Reported out 5/25/23	723	Carried over - Appropriations Table 7/26/23	
1737	Tax	An Act to Provide up to \$5,000 in Property Tax Relief to Veterans	Hymes	TAX	Bill Text		5/17/23 10:00 AM Rm 127 SH	1/11/24 1:00 PM Rm 127 SH	Tabled 5/31/23	2103	Carried over 7/26/23	

LD #	Category	Title	Sponsor	Cmte	Bill Information	COP Position	Public Hearing	Work Session	Status	LR #	Notes	Priority
2102	Tax	An Act to Support Municipalities by Repealing the Law Limiting the Municipal Property Tax Levy (Emergency)	Pierce	TAX	Bill Text					2929		
2144	Tax	An Act to Provide Property Tax Relief by Increasing the Availability of the Property Tax Fairness Credit	Russell	TAX	Bill Text					2842		
1935	Workforce	An Act to Promote Workforce Development by Establishing a Workforce Development Program	Brennan	LH	Bill Text	Strong Support	5/18/23 1:00 PM Rm 202 COB	5/24/23 10:00 AM Rm 202 COB	MAJ: OTP-AM MIN: ONTP Reported out 6/6/23	721	Carried over - Appropriations Table 7/26/23 Testimony submitted	



To: Senator Lawrence, Representative Zeigler, and members of the Joint Standing Committee on Energy, Utilities and Technology

From: Troy Moon, Director of Sustainability

Date: January 5, 2024

Re: LD 1465

**Testimony in Opposition to LD 1465,
"An Act to Amend the Calculation of Tariff Rates and Billing Credits Under Net Energy
Billing"**

Senator Lawrence, Representative Zeigler, and members of the Joint Standing Committee on Energy, Utilities, and Technology:

I write to you in opposition to LD 1465, "An Act to Amend the Calculation of Tariff Rates and Billing Credits Under Net Energy Billing." Passage of this bill would negatively affect cities and towns in Maine by unraveling net energy billing agreements established in accordance with statutes and policies established by the Maine Legislature and undermine our ability to pursue renewable energy projects that could help us meet our clean energy goals.

Like many municipalities and school districts across the state, the City of Portland negotiated net energy billing contracts with solar developers to advance clean energy development in the state and to reduce the overall cost of electricity for municipal operations. One of the provisions in the net energy billing statute that made these agreements viable was the ability to offset demand charges as well as supply costs because demand charges account for a large portion of the electricity bill for many municipal buildings. The resulting savings associated with these long term, 20 year contracts have been incorporated into our municipal budget where they help reduce the overall cost to provide residents and businesses with vital municipal services. If LD 1465 passes it would disrupt our existing net energy contracts by retroactively removing all costs other than supply from the credit calculation. This would unfairly and detrimentally impact the City of Portland and all other municipalities, institutions, and businesses that have agreements with solar projects that have already been built and are generating renewable energy in the State.

We have followed changes to Maine's net energy billing laws during the past few years and recognize that the Legislature has the responsibility to amend laws and programs from time to time as circumstances change. While these changes have impacted some projects in the development phase, they have not disrupted projects that have reached commercial operation. Just last session the Legislature passed and Governor Mills signed LD 1986 that made

significant changes to Maine's net energy law. Importantly, that law grandfathered net energy billing agreements executed on or before December 31, 2023. We support staying the course with that law and ask the Energy, Utilities, and Technology Committee to vote that LD 1465 ought not to pass.

Thank you for your consideration.

DRAFT