
Reference to the Committee on Environment and Natural Resources suggested and ordered printed.

Presented by Senator BENNETT of Oxford.
Cosponsored by Representative GRAMLICH of Old Orchard Beach.
Be it enacted by the People of the State of Maine as follows:

Sec. 1. 38 MRSA §487-A, sub-§5 is enacted to read:

5. Nonessential transmission lines; reduction of global greenhouse gas emissions.
Notwithstanding any provision of law to the contrary, a permit issued under this article for a nonessential transmission line is conditioned on the owner of the transmission line, no later than one year after the transmission line achieves commercial operation, submitting to the department documentation, analysis or other information, prepared by an independent 3rd party, that demonstrates to the department's satisfaction that the transmission line and the electricity it transports contributes to the reduction of global greenhouse gas emissions. As used in this subsection, "nonessential transmission line" means a permanently installed transmission line carrying 100 kilovolts or more that is constructed primarily to transport electricity generated outside of the State and that achieves commercial operation after January 1, 2024.

A. Failure of the owner of a nonessential transmission line to submit the documentation, analysis or other information that demonstrates to the department's satisfaction that the transmission line and the electricity it transports contributes to the reduction of global greenhouse gas emissions constitutes a violation of the permit issued under this article and the department shall take appropriate action in accordance with section 347-A, which may include, but is not limited to, entry of an administrative consent agreement requiring the owner to pay to the department penalties calculated in proportion to the amount of electricity transported using the transmission line that, in the department's determination, does not contribute to the reduction of global greenhouse gas emissions.

B. Notwithstanding any provision of law to the contrary, if pursuant to a violation under paragraph A, the department requires the owner of a nonessential transmission line to pay penalties in accordance with section 347-A or 349, the department shall transfer those penalty amounts to the Efficiency Maine Trust established in Title 35-A, section 10103 for deposit in the Regional Greenhouse Gas Initiative Trust Fund established in Title 35-A, section 10109 or another fund as determined by the department.

C. The department shall adopt rules to implement this subsection. Rules adopted pursuant to this paragraph are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

SUMMARY

This bill amends the site location of development laws to provide additional requirements applicable to permanently installed transmission lines carrying 100 kilovolts or more of electricity that are constructed primarily to transport electricity generated outside of the State and that achieve commercial operation after January 1, 2024. Those lines are defined in the bill as "nonessential transmission lines." The bill provides that a permit issued under the site location of development laws for a nonessential transmission line is conditioned on the owner of the nonessential transmission line, no later than one year after the transmission line achieves commercial operation, submitting to the Department of Environmental Protection documentation, analysis or other information, prepared by an independent 3rd party, that demonstrates to the department's satisfaction
that the transmission line and the electricity it transports contributes to the reduction of
global greenhouse gas emissions. Failure to demonstrate that the transmission line and the
electricity it transports contributes to the reduction of global greenhouse gas emissions
constitutes a violation of the permit for which the department shall take appropriate action,
which may include entry of an administrative consent agreement requiring the owner to
pay penalty amounts calculated in proportion to the amount of electricity transported using
the transmission line that does not contribute to the reduction of global greenhouse gas
emissions.