



130th MAINE LEGISLATURE

FIRST SPECIAL SESSION-2021

Legislative Document

No. 1429

H.P. 1045

House of Representatives, April 12, 2021

**An Act To Implement the Most Time-sensitive Recommendations of
the Maine Climate Council**

Received by the Clerk of the House on April 8, 2021. Referred to the Committee on Environment and Natural Resources pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

A handwritten signature in cursive script that reads "R. B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative DUNPHY of Old Town.
Cosponsored by Representatives: BLUME of York, GEIGER of Rockland, GROHOSKI of Ellsworth, RIELLY of Westbrook, ZEIGLER of Montville, Senators: HICKMAN of Kennebec, VITELLI of Sagadahoc.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 7 MRSA §212, sub-§2-A** is enacted to read:

3 **2-A. Minimally processed.** "Minimally processed" means, with respect to food items,
4 processed only by washing, cleaning, trimming, drying, sorting, freezing or packaging or
5 by a combination of those activities.

6 **Sec. 2. 7 MRSA §213-A** is enacted to read:

7 **§213-A. School food purchases**

8 Beginning with the 2022-2023 school year, each school administrative unit, as defined
9 in Title 20-A, section 1, subsection 26, shall expend a minimum of 10% of the total it
10 expends on school food purchases on purchases from Maine food producers. Beginning
11 with the 2024-2025 school year, each school administrative unit shall expend a minimum
12 of 20% of the total it expends on school food purchases on purchases from Maine food
13 producers. Beginning with the 2026-2027 school year, each school administrative unit shall
14 expend a minimum of 30% of the total it expends on school food purchases on purchases
15 from Maine food producers.

16 **Sec. 3. 7 MRSA §215-B** is enacted to read:

17 **§215-B. Maine Farm and Fish to School Program**

18 **1. Program established.** The Maine Farm and Fish to School Program, referred to in
19 this section as "the program," is established within the department to promote, market and
20 facilitate the sale of food grown or raised and fish raised or caught by Maine food producers
21 to elementary and secondary schools and postsecondary educational institutions. The
22 commissioner shall administer the program in consultation with the Department of
23 Education and the Department of Health and Human Services, Maine Center for Disease
24 Control and Prevention. For the purposes of this section, "departments" means collectively
25 the Department of Agriculture, Conservation and Forestry, the Department of Education
26 and the Department of Health and Human Services, Maine Center for Disease Control and
27 Prevention.

28 **2. Program objectives.** To implement the program, the departments shall share
29 information and work collaboratively with the Maine Agriculture in the Classroom Council
30 established under section 242 to:

31 A. Develop, implement and support school food procurement strategies that recognize
32 the benefits of, and result in, increased purchasing from Maine food producers;

33 B. Provide or coordinate technical assistance and training to school personnel as
34 needed to facilitate meal preparation using whole, fresh and minimally processed foods
35 from Maine food producers;

36 C. Connect Maine food producers with state and local purchasers and maintain an
37 interactive website created for this purpose; and

38 D. Maximize funding received under the National School Lunch Program under 7
39 Code of Federal Regulations, Part 210 (2007) and the federal School Breakfast
40 Program under 7 Code of Federal Regulations, Part 220 (2007).

1 **3. Farm and Fish to School Fund established.** The Farm and Fish to School Fund,
2 referred to in this section as "the fund," is established as a nonlapsing fund within the
3 department. The commissioner may accept funds from public and private sources for
4 deposit in the fund. The fund must be held separate and apart from all other money, funds
5 and accounts. The fund may be used:

6 A. To support activities of the departments to advance program objectives under
7 subsection 2;

8 B. To contract for services to advance program objectives under subsection 2; and

9 C. To fund planning and implementation grants to schools and Maine food producers
10 under subsection 4.

11 **4. Grants.** The commissioner, upon the recommendation of and with the assistance
12 of the Department of Education, shall provide grants from the fund to school administrative
13 units, as defined in Title 20-A, section 1, subsection 26, to support nutrition education
14 programs and purchases from Maine food producers for school lunch and breakfast
15 programs. The commissioner shall award grants to Maine food producers to support the
16 aggregation, packaging, storage and transportation of their products to school
17 administrative units.

18 **Sec. 4. 12 MRSA §1809** is enacted to read:

19 **§1809. Statewide inventory of carbon stocks established**

20 By March 15, 2022 and every 5 years thereafter, the department, in coordination with
21 the Department of Environmental Protection and the Department of Marine Resources,
22 shall conduct a comprehensive, statewide inventory of the capacity of natural systems on
23 land and in coastal and marine ecosystems to sequester or release carbon in a manner that
24 will allow estimates of potential state carbon sequestration levels as well as changes in
25 those levels over time and thereby allow the State to achieve the goal of carbon neutrality.

26 **1. Farm and open space.** By March 15, 2023 and every 2 years thereafter, the
27 department shall, based on the inventory, determine the changes in the levels of carbon
28 sequestration resulting from participation in the farm and open space tax program under
29 Title 36, chapter 105, subchapter 10. By April 15, 2024 and annually thereafter, the
30 department shall report to the joint standing committee of the Legislature having
31 jurisdiction over environmental matters and the joint standing committee of the Legislature
32 having jurisdiction over taxation matters on the effects of the farm and open space tax
33 program on carbon sequestration, including recommendations for proposed changes to that
34 program.

35 **2. Tree growth.** By March 15, 2023 and every 2 years thereafter, the department
36 shall, based on the inventory, determine the changes in the levels of carbon sequestration
37 resulting from participation in the tree growth tax law under Title 36, chapter 105,
38 subchapter 2-A. By April 15, 2024 and annually thereafter, the department shall report to
39 the joint standing committee of the Legislature having jurisdiction over environmental
40 matters and the joint standing committee of the Legislature having jurisdiction over
41 taxation matters on the effects of the tree growth tax program on carbon sequestration,
42 including recommendations for proposed changes to that program, if any, to further the
43 Legislature's goal of achieving carbon neutrality under this section.

1 **Sec. 5. 20-A MRSA §6602, sub-§12**, as amended by PL 2019, c. 511, §1 and
2 affected by §2, is further amended to read:

3 **12. Local Produce Food Procurement Fund.** The Local ~~Produce~~ Food Procurement
4 Fund is established within the department. The fund is authorized to receive revenue from
5 public and private sources. The fund must be held separate and apart from all other money,
6 funds and accounts. Any balance remaining in the fund at the end of the fiscal year must
7 be carried forward to the next fiscal year. The fund must be used to match \$1 for every \$3
8 a school administrative unit pays for produce, ~~meat, fish, eggs, dairy products~~ or minimally
9 processed foods purchased directly from a farmer, or a farmers' cooperative, a person who
10 fishes commercially or a cooperative of persons who fish commercially or local food hub
11 ~~in the State, to a maximum state contribution of \$1,000 per school administrative unit in~~
12 ~~fiscal year 2019-20 and \$1,500 per school administrative unit in fiscal year 2020-21 and~~
13 ~~subsequent years or \$2,000 per school administrative unit if funding is received and the~~
14 ~~school administrative unit sends a food service employee to local foods training~~
15 ~~administered by the department under subsection 13. A school administrative unit shall~~
16 ~~provide the department with an invoice for each month that funding is sought.~~ At the end
17 of the fiscal year, the school administrative unit ~~may~~ shall provide the department with
18 receipts documenting purchases pursuant to this subsection during that year. For purposes
19 of this subsection, "minimally processed" means only the washing, cleaning, trimming,
20 drying, sorting, freezing and packaging of food items or a combination of those activities.
21 Reimbursement or partial reimbursement to school administrative units may only be made
22 up to the amount available in the fund. Failure to reimburse does not constitute an
23 obligation on behalf of the State to a school administrative unit. The department shall apply
24 for federal grant funding to provide state contributions in excess of \$1,000 per school
25 administrative unit in fiscal year 2019-20 and \$1,500 per school administrative unit in fiscal
26 year 2020-21 and subsequent years pursuant to this subsection if applicable grant funding
27 is available. The department may accept grant funding from hospitals and other sources to
28 provide state contributions in excess of \$1,000 per school administrative unit in fiscal year
29 2019-20 and \$1,500 per school administrative unit in fiscal year 2020-21 and subsequent
30 years pursuant to this subsection.

31 **Sec. 6. 35-A MRSA §3210, sub-§3-A**, as amended by PL 2019, c. 477, §1, is
32 further amended to read:

33 **3-A. Portfolio requirements; Class I resources.** Portfolio requirements for Class I
34 resources are governed by this subsection.

35 A. ~~Except as provided in paragraph B, beginning~~ Beginning January 1, 2008, as a
36 condition of licensing pursuant to section 3203, each competitive electricity provider
37 in this State must demonstrate in a manner satisfactory to the commission that the
38 percentage of its portfolio of supply sources for retail electricity sales in this State
39 accounted for by Class I resources is as follows:

- 40 (1) One percent for the period from January 1, 2008 to December 31, 2008;
- 41 (2) Two percent for the period from January 1, 2009 to December 31, 2009;
- 42 (3) Three percent for the period from January 1, 2010 to December 31, 2010;
- 43 (4) Four percent for the period from January 1, 2011 to December 31, 2011;
- 44 (5) Five percent for the period from January 1, 2012 to December 31, 2012;

- 1 (6) Six percent for the period from January 1, 2013 to December 31, 2013;
- 2 (7) Seven percent for the period from January 1, 2014 to December 31, 2014;
- 3 (8) Eight percent for the period from January 1, 2015 to December 31, 2015;
- 4 (9) Nine percent for the period from January 1, 2016 to December 31, 2016; and
- 5 (10) Ten percent for the period from January 1, 2017 to December 31, 2022 and
- 6 each year thereafter.

7 Class I resources used to satisfy the requirements of this paragraph may not be used to
8 satisfy the requirements of subsection 3 or 3-B.

9 ~~B. Suspensions of scheduled increases in the portfolio requirements as provided in~~
10 ~~paragraph A are governed by this paragraph.~~

11 ~~(1) If by March 31st of the years 2010, 2012, 2014 and 2016 the commission~~
12 ~~determines that investment in Class I resources in the preceding 2 calendar years~~
13 ~~has not been sufficient for competitive electricity providers to meet the portfolio~~
14 ~~requirements under paragraph A and that the resulting use of renewable energy~~
15 ~~credits pursuant to subsection 8 or the alternative compliance payment mechanism~~
16 ~~pursuant to subsection 9, or both of these methods, has burdened electricity~~
17 ~~customers in the State without providing the benefits of Class I resources, the~~
18 ~~commission may suspend all or some of the future scheduled increases in the~~
19 ~~portfolio requirements under paragraph A.~~

20 ~~(2) If the commission finds that alternative compliance payments are made~~
21 ~~pursuant to subsection 9 in 3 consecutive calendar years, the commission shall~~
22 ~~temporarily suspend all or some of the future scheduled increases in the portfolio~~
23 ~~requirements under paragraph A.~~

24 ~~(3) If the commission suspends any scheduled increases in the portfolio~~
25 ~~requirements under paragraph A pursuant to subparagraph (1) or (2), the~~
26 ~~commission may resume increases, limited to no more than one percentage point~~
27 ~~per year over the previous year, in the portfolio requirements after a minimum of~~
28 ~~one year.~~

29 C. No later than March 31, 2008 and annually thereafter, the commission shall submit
30 a report regarding the status of Class I resources in the State and compliance with the
31 portfolio requirements under paragraph A to the joint standing committee of the
32 Legislature having jurisdiction over utilities and energy matters. The report must
33 include, but is not limited to, a description of Class I resources available to meet the
34 portfolio requirements under paragraph A, documentation of the loss of any existing
35 renewable generation capacity in the State, the status of implementation of the portfolio
36 requirements under paragraph A, ~~including any suspensions pursuant to paragraph B,~~
37 and recommendations to stimulate investment in Class I resources.

38 D. Retail electricity sales pursuant to a supply contract or standard-offer service
39 arrangement executed by a competitive electricity provider that is in effect on the
40 effective date of this subsection is exempt from the requirements of this subsection
41 until the end date of the current term of the supply contract or standard-offer service
42 arrangement.

1 The commission shall adopt rules to implement this subsection. Rules adopted under this
2 subsection are routine technical rules pursuant to Title 5, chapter 375, subchapter 2-A.

3 **Sec. 7. 35-A MRSA §3210, sub-§3-B**, as enacted by PL 2019, c. 477, §1, is
4 amended to read:

5 **3-B. Portfolio requirements; Class IA resources.** Portfolio requirements for Class
6 IA resources are governed by this subsection.

7 A. ~~Except as provided in paragraph B, beginning~~ Beginning January 1, 2020, as a
8 condition of licensing pursuant to section 3203, each competitive electricity provider
9 in this State must demonstrate in a manner satisfactory to the commission that the
10 percentage of its portfolio of supply sources for retail electricity sales in this State,
11 other than to customers who have made an election pursuant to subsection 10 that is in
12 effect with respect to this subsection, accounted for by Class IA resources is as follows:

- 13 (1) Two and one-half percent for the period from January 1, 2020 to December
14 31, 2020;
- 15 (2) Five percent for the period from January 1, 2021 to December 31, 2021;
- 16 (3) Eight percent for the period from January 1, 2022 to December 31, 2022;
- 17 (4) Eleven percent for the period from January 1, 2023 to December 31, 2023;
- 18 (5) Fifteen percent for the period from January 1, 2024 to December 31, 2024;
- 19 (6) Nineteen percent for the period from January 1, 2025 to December 31, 2025;
- 20 (7) Twenty-three percent for the period from January 1, 2026 to December 31,
21 2026;
- 22 (8) Twenty-seven percent for the period from January 1, 2027 to December 31,
23 2027;
- 24 (9) Thirty-one percent for the period from January 1, 2028 to December 31, 2028;
- 25 (10) Thirty-five percent for the period from January 1, 2029 to December 31, 2029;
26 and
- 27 (11) Forty percent for the period from January 1, 2030 to December 31, 2030 and
28 each year thereafter.

29 Class IA resources used to satisfy the requirements of this paragraph may not be used
30 to satisfy the requirements of subsection 3 or 3-A.

31 ~~B. Suspensions of scheduled increases in the portfolio requirements as provided in~~
32 ~~paragraph A are governed by this paragraph.~~

33 ~~(1) If by March 31st of the year 2022 and every 2 years thereafter the commission~~
34 ~~determines that investment in Class IA resources in the preceding 2 calendar years~~
35 ~~has not been sufficient for competitive electricity providers to meet the portfolio~~
36 ~~requirements under paragraph A and that the resulting use of renewable energy~~
37 ~~credits pursuant to subsection 8 or the alternative compliance payment mechanism~~
38 ~~pursuant to subsection 9, or both of these methods, has burdened electricity~~
39 ~~customers in the State without providing the benefits of new Class IA resources,~~
40 ~~the commission may suspend all or some of the future scheduled increases in the~~
41 ~~portfolio requirements under paragraph A.~~

1 ~~(2) If the commission finds that more than 10% of the obligations required to~~
2 ~~satisfy the portfolio requirements for Class IA resources under paragraph A are~~
3 ~~met through alternative compliance payments made pursuant to subsection 9 in 3~~
4 ~~consecutive calendar years, the commission shall temporarily suspend all or some~~
5 ~~of the future scheduled increases in the portfolio requirements under paragraph A.~~

6 ~~(3) If the commission suspends any scheduled increases in the portfolio~~
7 ~~requirements under paragraph A pursuant to subparagraph (1) or (2), the~~
8 ~~commission shall report its rationale for suspension to the joint standing committee~~
9 ~~of the Legislature having jurisdiction over energy and utilities matters, the~~
10 ~~Governor's Energy Office and the Office of the Public Advocate and make~~
11 ~~recommendations for modifications to the schedule of increases. The commission~~
12 ~~may resume increases, limited to no more than one percentage point per year over~~
13 ~~the previous year, in the portfolio requirements after a minimum of one year unless~~
14 ~~otherwise directed by the Legislature.~~

15 C. No later than March 31, 2021 and annually thereafter, the commission shall submit
16 a report regarding the status of Class IA resources in the State and compliance with the
17 portfolio requirements under paragraph A to the joint standing committee of the
18 Legislature having jurisdiction over utilities and energy matters. The report must
19 include, but is not limited to, a description of Class IA resources available to meet the
20 portfolio requirements under paragraph A, documentation of the loss of any existing
21 renewable generation capacity in the State, the status of implementation of the portfolio
22 requirements under paragraph A, ~~including any suspensions pursuant to paragraph B,~~
23 and recommendations to stimulate investment in Class IA resources. If the commission
24 has reliable information about benefits and costs of the portfolio requirements under
25 paragraph A, over both the short and long terms with respect to the State's economy,
26 environmental quality or electricity consumers, the commission shall include that
27 information in the report. The report required under this paragraph may be submitted
28 in conjunction with the report required under subsection 3-A, paragraph C.

29 D. Retail electricity sales pursuant to a supply contract or standard-offer service
30 arrangement executed by a competitive electricity provider that is in effect on the
31 effective date of this subsection are exempt from the requirements of this subsection
32 until the end date of the existing term of the supply contract or standard-offer service
33 arrangement.

34 The commission shall adopt rules to implement this subsection. Rules adopted under this
35 subsection are routine technical rules pursuant to Title 5, chapter 375, subchapter 2-A.

36 **Sec. 8. 35-A MRSA §10103, sub-§4**, as amended by PL 2019, c. 306, §2, is further
37 amended to read:

38 **4. Program funding.** The board may apply for and receive grants from municipal,
39 state, federal and private sources for deposit into appropriate program funds, including
40 funds for both residential and business programs. The board may deposit in appropriate
41 program funds the proceeds of any bonds issued for the purposes of programs administered
42 by the trust. The board may receive and shall deposit in appropriate program funds revenue
43 resulting from any forward capacity market or other capacity payments from the regional
44 transmission organization that may be attributable to those projects funded by those funds,
45 except that, from fiscal year 2019-20 to fiscal year ~~2024-25~~ 2029-30, such payments must

1 be used to promote high-performance air source heat pump technology and deposited in
2 the Heating Fuels Efficiency and Weatherization Fund established in section 10119. The
3 board shall deposit into appropriate program funds revenue transferred to the trust from the
4 energy infrastructure benefits fund pursuant to Title 5, section 282, subsection 9 for use in
5 accordance with subsection 4-A. The board may also deposit any grants or other funds
6 received by or from any entity with which the trust has an agreement or contract pursuant
7 to this chapter if the board determines that receipt of those funds is consistent with the
8 purposes of this chapter.

9 **Sec. 9. 36 MRSA §572, 2nd ¶**, as enacted by PL 1971, c. 616, §8, is amended to
10 read:

11 It is declared to be the public policy of this State that the public interest would be best
12 served by encouraging forest landowners to retain and improve their holdings of forest
13 lands upon the tax rolls of the State and to promote better forest management by appropriate
14 tax measures in order to protect this unique economic and recreational resource. It is further
15 declared that it is in the public interest to encourage the increased sequestration of carbon
16 in this State.

17 **Sec. 10. 36 MRSA c. 919-B** is enacted to read:

18 **CHAPTER 919-B**

19 **FREIGHT TRANSPORTATION FUEL EFFICIENCY CREDIT**

20 **§6911. Definitions**

21 As used in this chapter, unless the context otherwise indicates, the following terms
22 have the following meanings.

23 **1. Certified applicant.** "Certified applicant" means a qualified applicant that has
24 received a certificate of approval from the commissioner pursuant to this chapter.

25 **2. Commissioner.** "Commissioner" means the Commissioner of Transportation.

26 **3. Qualified applicant.** "Qualified applicant" means a commercial business that
27 participates in the United States Environmental Protection Agency's SmartWay program.

28 **§6912. Procedures for application; certificate of approval**

29 **1. Application.** A qualified applicant may apply to the commissioner for a certificate
30 of approval for a tax credit under this chapter. Applicants shall submit to the commissioner
31 information demonstrating that the applicant is a qualified applicant. In issuing certificates
32 of approval, the commissioner shall ensure that no certified applicant holds more than one
33 certificate of approval at any time.

34 **2. Determination by commissioner.** The commissioner, within 30 days of receipt of
35 an application, shall review the information contained in the application and issue a written
36 determination as to whether the applicant is a qualified applicant. If the commissioner
37 determines that the applicant is a qualified applicant and currently holds no certificate of
38 approval under this chapter, the commissioner shall issue a certificate of approval to the
39 qualified applicant at the time of the determination. If the commissioner determines that

1 the applicant is not a qualified applicant, the commissioner shall issue a denial of the
2 application at the time of the determination.

3 **3. Memorandum of agreement.** Upon issuance of a certificate of approval to a
4 qualified applicant, the commissioner shall enter into an agreement on behalf of the State
5 with the certified applicant. The agreement must provide that the State shall allow the
6 credit provided for in this chapter as it is in effect on the date the certificate of approval is
7 issued for as long as the applicant qualifies for the credit provided for in this chapter on the
8 date the certificate of approval is issued.

9 **4. Transfer of certificate.** If a certified applicant proposes to transfer, including,
10 without limitation, transfer by operation of law, all or substantially all of its business
11 interest to another person, that person may apply to the commissioner to approve transfer
12 of the certificate of approval to the person. If the commissioner grants a transfer of the
13 certificate of approval, the transferee must be treated as the certified applicant for all
14 purposes of this chapter.

15 **§6913. Credit against withholding taxes allowed**

16 **1. Generally.** Subject to the provisions of subsection 2 and notwithstanding any
17 provision of chapter 827 to the contrary, a certified applicant is allowed a credit of up to
18 \$2,000 for each calendar year, beginning with the 2022 calendar year, against up to \$2,000
19 that otherwise would be required to be remitted to the State Tax Assessor on or after July
20 1st of each calendar year by the certified applicant pursuant to chapter 827 for state income
21 taxes deducted and withheld from wages of qualified employees as defined in section 6851,
22 subsection 8 by the certified applicant. The credit taken with respect to withholding taxes
23 not remitted must be reflected on the withholding returns submitted by the certified
24 applicant pursuant to chapter 827 and constitutes a credit against the applicant's liability
25 for and obligation to remit the withholding tax against which the credit is taken.

26 **2. Limitations.** Limitations on the credit allowed under subsection 1 are governed by
27 this subsection.

28 A. A credit is not allowed for any calendar year beginning before January 1, 2022.

29 B. Total credits under this section may not exceed \$2,000 to any certified applicant or
30 transferee under section 6912, subsection 4.

31 **3. Effect on employee.** Notwithstanding any provision of chapter 827 to the contrary,
32 the amount of income tax deducted and withheld by a certified applicant from the wages
33 of a person pursuant to chapter 827 in any calendar year is considered paid to the State Tax
34 Assessor on behalf of the person from whom the income tax was withheld without regard
35 to any credit taken by a certified applicant under this chapter, and that person is credited
36 with having paid that amount of tax for the taxable year beginning in the calendar year
37 without regard to any credit taken by a certified applicant under this chapter. If more than
38 one taxable year begins in a calendar year, that person may claim that amount as a credit
39 for the most recent taxable year.

40 **§6914. Reporting required**

41 **1. Annual reporting by certified applicant.** On or before March 1st of each year, a
42 certified applicant shall file a report with the State Tax Assessor and the commissioner for
43 the immediately preceding calendar year, referred to in this section as "the report year,"

1 containing a description of improvements made in the conduct of business of the certified
2 applicant for the calendar year immediately preceding the report year.

3 The State Tax Assessor may prescribe forms for the annual reports described in this section.

4 **2. Audit of report.** The State Tax Assessor has the authority to audit any report or
5 return filed under this chapter or chapter 827 to ensure the certified applicant was eligible
6 for the credit claimed by the certified applicant. If the certified applicant has claimed a
7 credit in an amount that the State Tax Assessor concludes exceeded the amount that the
8 certified applicant was entitled to claim for that calendar year, the State Tax Assessor shall
9 issue an assessment for that amount within 3 years after the date of the certified applicant's
10 last withholding return on which the credit for that calendar year was claimed. A certified
11 applicant may seek reconsideration of any determination or assessment pursuant to section
12 151.

13 **3. Report to Legislature.** The State Tax Assessor shall report to the joint standing
14 committee of the Legislature having jurisdiction over taxation matters aggregate data on
15 qualified applicant participation in the program. The report must be made during the first
16 regular session of each Legislature beginning with the 132nd Legislature.

17 **Sec. 11. Farm-to-school efforts.** The Commissioner of Agriculture, Conservation
18 and Forestry, the Commissioner of Education and the Commissioner of Health and Human
19 Services shall determine how to best implement the Maine Revised Statutes, Title 7, section
20 215-B and Title 20-A, section 6602, subsection 12 in compliance with the United States
21 Child Nutrition WIC Reauthorization Act of 2004, Public Law 108-265, Section 204,
22 adopted June 30, 2004.

23 The commissioners, using any existing authority, shall adopt or revise rules and agency
24 policies to support the State's food policy and the Maine Agriculture in the Classroom
25 Council established in Title 5, section 12004-G, subsection 4-C.

26 **Sec. 12. Forest carbon program.** By January 1, 2022, the Governor's Energy
27 Office, in coordination with the Department of Environmental Protection and the
28 Department of Agriculture, Conservation and Forestry and in collaboration with
29 appropriate stakeholders, shall develop a voluntary, incentive-based forest carbon program
30 for forest managers and owners of forested land of 10 to 10,000 acres. The Governor's
31 Energy Office shall report on the results of these efforts together with any
32 recommendations for legislation to the Joint Standing Committee on the Environment and
33 Natural Resources by January 1, 2022.

34 **Sec. 13. Technical service.** To the extent resources allow, the Department of
35 Agriculture, Conservation and Forestry, Maine Forest Service, the Department of Inland
36 Fisheries and Wildlife, the Department of Marine Resources and the University of Maine
37 System shall, by January 1, 2022, seek to increase their technical service capacity to deliver
38 data, expert guidance and support to communities, landowners, farmers, loggers and
39 foresters for activities that will support the State's climate goals.

40 **Sec. 14. Public awareness.** The Governor's Office of Policy Innovation and the
41 Future shall launch a multifaceted, ongoing communications effort based on the state
42 climate action plan issued by the Maine Climate Council in 2020 to raise public awareness
43 and understanding about climate change in Maine, the State's climate response actions and
44 climate-related programs and opportunities.

1 **Sec. 15. Appropriations and allocations.** The following appropriations and
 2 allocations are made.

3 **AGRICULTURE, CONSERVATION AND FORESTRY, DEPARTMENT OF**
 4 **Land for Maine's Future Z162**

5 Initiative: Provides funds to leverage matching contributions from public and private
 6 sources to be used for the acquisition of land and interest in land for conservation; water
 7 access; wildlife or fish habitat including deer wintering areas; outdoor recreation, including
 8 hunting and fishing; and working farmland preservation and working waterfront
 9 preservation.

10	GENERAL FUND	2021-22	2022-23
11	All Other	\$7,500,000	\$7,500,000
12			
13	GENERAL FUND TOTAL	<u>\$7,500,000</u>	<u>\$7,500,000</u>

15 **AGRICULTURE, CONSERVATION AND**
 16 **FORESTRY, DEPARTMENT OF**
 17 **DEPARTMENT TOTALS**

17		2021-22	2022-23
18			
19	GENERAL FUND	\$7,500,000	\$7,500,000
20			
21	DEPARTMENT TOTAL - ALL FUNDS	<u>\$7,500,000</u>	<u>\$7,500,000</u>

22 **CONNECTMAINE AUTHORITY**
 23 **ConnectMaine Fund Z294**

24 Initiative: Provides ongoing funding to broadband infrastructure grant programs for
 25 expansion in rural areas.

26	GENERAL FUND	2021-22	2022-23
27	All Other	\$400,000	\$400,000
28			
29	GENERAL FUND TOTAL	<u>\$400,000</u>	<u>\$400,000</u>

31 **CONNECTMAINE AUTHORITY**
 32 **DEPARTMENT TOTALS**

32		2021-22	2022-23
33			
34	GENERAL FUND	\$400,000	\$400,000
35			
36	DEPARTMENT TOTAL - ALL FUNDS	<u>\$400,000</u>	<u>\$400,000</u>

38 **EFFICIENCY MAINE TRUST**
 39 **Efficiency Maine Trust Z100**

40 Initiative: Provides ongoing funding to the Electric Vehicle Accelerator Program
 41 administered by the Efficiency Maine Trust.

1	GENERAL FUND	2021-22	2022-23
2	All Other	\$1,500,000	\$1,500,000
3			
4	GENERAL FUND TOTAL	<u>\$1,500,000</u>	<u>\$1,500,000</u>

5

6 **Heating Fuels Efficiency and Weatherization Fund Z103**

7 Initiative: Provides ongoing funding to the home and business weatherization rebate and
8 incentive programs administered by the Efficiency Maine Trust.

9	GENERAL FUND	2021-22	2022-23
10	All Other	\$485,800	\$485,800
11			
12	GENERAL FUND TOTAL	<u>\$485,800</u>	<u>\$485,800</u>

13

14 **Heating Fuels Efficiency and Weatherization Fund Z103**

15 Initiative: Provides ongoing funding to the heat pump rebate and incentive programs
16 administered by the Efficiency Maine Trust.

17	GENERAL FUND	2021-22	2022-23
18	All Other	\$905,000	\$905,000
19			
20	GENERAL FUND TOTAL	<u>\$905,000</u>	<u>\$905,000</u>

21

22 **EFFICIENCY MAINE TRUST**
23 **DEPARTMENT TOTALS**

24		2021-22	2022-23
25	GENERAL FUND	\$2,890,800	\$2,890,800
26			
27	DEPARTMENT TOTAL - ALL FUNDS	<u>\$2,890,800</u>	<u>\$2,890,800</u>

28 **TRANSPORTATION, DEPARTMENT OF**

29 **Multimodal – Transit 0443**

30 Initiative: Provides funding to relaunch GO MAINE, a ride matching program
31 administered by the Maine Turnpike Authority, in order to significantly increase shared
32 public commuting options by 2022.

33	GENERAL FUND	2021-22	2022-23
34	All Other	\$225,000	\$225,000
35			
36	GENERAL FUND TOTAL	<u>\$225,000</u>	<u>\$225,000</u>

37 **Multimodal – Transit 0443**

38 Initiative: Provides funding for the expansion of public transportation options and building
39 upon the programs established in the Department of Transportation's 2019 Transit Plan in
40 order to meet the Maine Climate Council's recommendation that the State's public
41 transportation funding reach the national median of \$5 per capita by 2024.

1	GENERAL FUND	2021-22	2022-23
2	All Other	\$400,000	\$400,000
3			
4	GENERAL FUND TOTAL	<u>\$400,000</u>	<u>\$400,000</u>

5

6	TRANSPORATION, DEPARTMENT OF		
7	DEPARTMENT TOTALS	2021-22	2022-23
8			
9	GENERAL FUND	\$625,000	\$625,000
10			
11	DEPARTMENT TOTAL - ALL FUNDS	<u>\$625,000</u>	<u>\$625,000</u>

12

13 **UNIVERSITY OF MAINE SYSTEM, BOARD OF TRUSTEES OF THE**
14 **University of Maine Cooperative Extension N352**

15 Initiative: Provides funding to establish the University of Maine System as the
16 coordinating hub for innovation of new technologies that will support Maine industries as
17 they transition into a new economy. Funds will support the ability of Maine's natural
18 resource economies to adapt to climate change impacts and take advantage of new market
19 opportunities in Maine's forest products industry by using the most up-to-date research on
20 forestry, agriculture and natural land-related climate concerns, including research and
21 development of climate-friendly bio-based wood market innovation and research around
22 climate-friendly agricultural practices.

23	GENERAL FUND	2021-22	2022-23
24	All Other	\$250,000	\$250,000
25			
26	GENERAL FUND TOTAL	<u>\$250,000</u>	<u>\$250,000</u>

27

28	UNIVERSITY OF MAINE SYSTEM, BOARD OF		
29	TRUSTEES OF THE		
30	DEPARTMENT TOTALS	2021-22	2022-23
31			
32	GENERAL FUND	\$250,000	\$250,000
33			
34	DEPARTMENT TOTAL - ALL FUNDS	<u>\$250,000</u>	<u>\$250,000</u>

35

36	SECTION TOTALS	2021-22	2022-23
37			
38	GENERAL FUND	\$11,665,800	\$11,665,800
39			
40	SECTION TOTAL - ALL FUNDS	<u>\$11,665,800</u>	<u>\$11,665,800</u>

41

SUMMARY

42

This bill:

- 1 1. Requires school administrative units over time to purchase increasing amounts of
2 local Maine food;
- 3 2. Establishes the Maine Farm and Fish to School Program to promote, market and
4 facilitate the sale of food grown or raised and fish raised or caught by Maine food producers
5 to elementary and secondary schools and postsecondary educational institutions;
- 6 3. Requires the State to conduct a comprehensive, statewide inventory of the capacity
7 of natural systems on land and in coastal and marine ecosystems to sequester or release
8 carbon in a manner that will allow estimates of potential state carbon sequestration levels
9 as well as changes in those levels over time and thereby allow the State to achieve carbon
10 neutrality;
- 11 4. Expands the Local Produce Fund to include meat, fish, eggs and dairy products and
12 changes its name to the Local Food Procurement Fund;
- 13 5. Repeals provisions allowing the Public Utilities Commission to suspend scheduled
14 increases in the renewable portfolio requirements when the commission makes certain
15 findings about the requirements;
- 16 6. Extends to fiscal year 2029-30 the funding from any forward capacity electricity
17 market or other capacity payments from the regional transmission organization that may be
18 used by the Efficiency Maine Trust to promote high-performance air source heat pump
19 technology. Currently this funding ends fiscal year 2024-25; the bill extends the funding
20 to fiscal year 2029-30;
- 21 7. Adds to the tree growth tax program a declaration that it is in the public interest to
22 encourage the increased sequestration of carbon in this State;
- 23 8. Creates a fuel efficiency tax credit for commercial businesses in the freight
24 transportation supply chain that participate in the United States Environmental Protection
25 Agency's SmartWay program;
- 26 9. Directs the Commissioner of Agriculture, Conservation and Forestry, the
27 Commissioner of Education and the Commissioner of Health and Human Services to
28 determine how best to comply with the United States Child Nutrition WIC Reauthorization
29 Act of 2004, Public Law 108-265, Section 204, adopted June 30, 2004 in implementing
30 related requirements of the bill;
- 31 10. Directs the Governor's Energy Office to develop a voluntary, incentive-based
32 forest carbon program;
- 33 11. Directs the Department of Agriculture, Conservation and Forestry, Maine Forest
34 Service, the Department of Inland Fisheries and Wildlife, the Department of Marine
35 Resources and the University of Maine System to seek to increase their technical service
36 capacity to deliver data, expert guidance and support to communities, landowners, farmers,
37 loggers and foresters for activities that will support the State's climate goals;
- 38 12. Directs the Governor's Office of Policy Innovation and the Future to launch a
39 multifaceted, ongoing communications effort based on the state climate action plan issued
40 by the Maine Climate Council on December 1, 2020 to raise public awareness and
41 understanding about climate change in Maine, the State's climate response actions and
42 climate-related programs and opportunities;
- 43 13. Provides \$1,500,000 in ongoing funds to the Electric Vehicle Accelerator Program;

1 14. Provides \$400,000 per year funding to broadband infrastructure grant programs
2 for expansion in rural areas;

3 15. Provides \$400,000 per year funding for expansion of public transportation options
4 and building upon the programs established in the Department of Transportation's 2019
5 transit plan in order to meet the Maine Climate Council's recommendation that the State's
6 public transportation funding reach the national median of \$5 per capita by 2024;

7 16. Provides \$225,000 per year to relaunch GO MAINE, a ride matching program
8 administered by the Maine Turnpike Authority, in order to significantly increase shared
9 public commuting options by 2022;

10 17. Provides \$905,000 in ongoing funding to the heat pump rebate and incentive
11 programs administered by the Efficiency Maine Trust;

12 18. Provides \$485,800 in ongoing funds to the current home and business
13 weatherization rebate and incentive programs administered by the Efficiency Maine Trust;

14 19. Provides \$250,000 per year funding to establish the University of Maine System
15 as the coordinating hub for innovation of new technologies that will support Maine
16 industries as they transition into a new economy. Funds will support the ability of Maine's
17 natural resource economies to adapt to climate change impacts and take advantage of new
18 market opportunities in Maine's forest products industry by using the most up-to-date
19 research on forestry, agriculture and natural land-related climate concerns, including
20 research and development of climate-friendly bio-based wood market innovation and
21 research around climate-friendly agricultural practices; and

22 20. Provides \$7,500,000 per year funding to the Land for Maine's Future Board to
23 leverage matching contributions from public and private sources to be used for the
24 acquisition of land and interest in land for conservation; water access; wildlife or fish
25 habitat including deer wintering areas; outdoor recreation, including hunting and fishing;
26 and working farmland preservation and working waterfront preservation.