

MAINE STATE LEGISLATURE

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(EMERGENCY)

ONE HUNDRED AND SEVENTH LEGISLATURE

Legislative Document

No. 1668

H. P. 1343

House of Representatives, April 3, 1975

On Motion of Mr. Bustin of Augusta, referred to Committee on Energy.
Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Silverman of Calais.

STATE OF MAINE

**IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-FIVE**

**AN ACT to Create the Passamaquoddy Tidal Power Project
Study Commission.**

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the recent oil embargo has demonstrated to Maine citizens how vulnerable is our dependence upon power made from foreign oil; and

Whereas, Maine has deep need for a reliable source of power which can be used to heat homes and power factories; and

Whereas, in keeping with Maine's concern with the environment, this source should be nonpolluting; and

Whereas, the Passamaquoddy Tidal Power Project may furnish Maine citizens with a reliable and nonpolluting source of electrical energy, and should therefore be investigated as soon as possible; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. Commission; duties. There is created the Passamaquoddy Tidal Power Project Study Commission, whose purpose shall be to study the following: The possible cooperation of the United States Government towards

the creation of a Passamaquoddy Tidal Power Project; the possible cooperation of the Federal Government of Canada and of the Provincial Government of New Brunswick in the creation of a Passamaquoddy Tidal Power Project; the possible cooperation and attitude of the interests of labor, education, industry and environmental interests towards a Passamaquoddy Tidal Power Project; and the requirements and cost of implementing a Passamaquoddy Tidal Power Project.

The Passamaquoddy Tidal Power Project Study Commission shall, after having completed its study, report its findings, together with final drafts of any necessary implementing legislation, to the regular session of the 109th Legislature.

Sec. 2. Membership. The membership of the commission shall consist of 11 persons. One member shall be a member of the House of Representatives, to be appointed by the Speaker of the House and one member shall be a Senator, to be appointed by the President of the Senate. The Governor shall appoint all of the following members: One member to represent the interests of labor, one member to represent the interests of industry, one member to represent the interests of education, one member to represent the interests of the financial community of Maine, one member who shall be learned in the theory and practice of engineering, one member to represent the interests of the Maine fishing industry, 2 members who shall be representatives of the general public of Maine and one member to represent the interests of the Maine environmental movement. Any vacancies in membership of the commission shall be filled in the same manner as the original appointment.

Sec. 3. Meetings. The said commission shall be appointed promptly upon enactment hereof and the Governor shall notify all members of the time and place of the first meeting. At that time the commission shall organize, elect a chairman, vice-chairman and secretary-treasurer and adopt rules as to the administration of the commission and its affairs. The commission shall maintain minutes of its meetings and such financial records as may be required by the State Auditor and shall report periodically its progress to the Governor.

Sec. 4. Staff. The commission shall draw upon state agencies, where possible, to furnish it with staff support and technical expertise to conduct its study. Where needed staff expertise is not available within state agencies, the commission may contract for such technical assistance as it deems necessary.

Sec. 5. Counsel. The commission shall contract such counsel as is deemed necessary who need not be a resident of this State, who shall have the responsibility for legal research and drafting required in connection with the preparation of any proposed legislation, under the direction and supervision of the commission. No person shall be employed as counsel who shall not, by virtue of prior training, experience, ability and reputation have clearly demonstrated the ability to perform the tasks to be assigned to him by the commission.

Sec. 6. Reimbursement of expenses. The members of the commission shall serve without compensation, but may be reimbursed for their reasonable

expenses in attending meetings, procuring supplies, correspondence and other related and necessary expenditures.

Sec. 7. Appropriation. There is appropriated from the General Fund to the Passamaquoddy Tidal Power Project Study Commission the sum of \$25,000 to carry out the purposes of this Act. Any unexpended balances shall not lapse, but shall remain in a continuing carrying account until the purposes of this Act have been accomplished.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.

STATEMENT OF FACT

This bill creates the Passamaquoddy Tidal Power Project Study Commission, which shall investigate the feasibility of the Passamaquoddy Tidal Power Project and report its findings and recommendations to the 109th Legislature.