

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

FIRST REGULAR SESSION

ONE HUNDRED AND TENTH LEGISLATURE

Legislative Document

No. 915

H. P. 732

House of Representatives, February 18, 1981

Referred to the Committee on Energy and Natural Resources. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Representative Huber of Falmouth.

Cosponsor: Senator Trafton of Androscoggin.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY-ONE

AN ACT to Encourage the Development of Renewable Energy Resources.

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

5 MRSA c. 339 is enacted to read:

CHAPTER 339

RENEWABLE ENERGY RESOURCES ACT

§ 5201. Title

This chapter shall be known and may be cited and referred to as the "Renewable Energy Development Act."

§ 5202. Findings and purpose

The Legislature finds that it is in the interests of the State to encourage the development of renewable sources of energy for the social, economic and environmental well-being of the State. The Legislature finds that increased development of renewable energy resources will reduce the reliance of the State on increasingly scarce and expensive fossil fuels, and will significantly benefit the State.

It is the purpose of this chapter to encourage the conservation of energy and the development of renewable energy resources through grants, demonstration

projects and public information efforts. It is further the purpose of this chapter to coordinate the many activities within State Government that affect energy resources and encourage the wise use of these resources in the best interests of the State.

§ 5203. Definitions

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

1. Council. "Council" means the Renewable Energy Development Council.
2. Fund. "Fund" means the Renewable Energy Development Fund.
3. Renewable energy resources. "Renewable Energy Resources" means sources of energy that are capable of being reproduced, replenished or restored following the use of these resources and resources that are inexhaustible. Renewable energy sources include biomass, wood, water, waste, solar and wind, but exclude nuclear fuel sources, coal and oil.

§ 5204. Renewable Energy Development Council

1. Establishment. There is established a Renewable Energy Development Council. The council shall consist of 11 members appointed by the Governor. There shall be one member from each of the following agencies: the Department of Environmental Protection; the Department of Conservation; the Department of Agriculture, Food and Rural Resources; the Department of Marine Resources; the Office of Energy Resources; the Department of Transportation; and the State Development Office. Four members shall be appointed from the general public.

Appointments shall be for a 4-year term and each member shall serve until his successor is appointed and qualified. In the case of a vacancy caused by death, resignation or otherwise, the Governor shall promptly fill the vacancy for the unexpired period of the term.

Members of the council shall serve without compensation. Members, other than state employees, are entitled to a per diem allowance and reimbursement for expenses incurred in the performance of their duties.

2. Powers. The council may:

- A. Adopt, consistent with the Maine Administrative Procedure Act, Title 5, chapter 375, rules and regulations for the operation of the council;
- B. Enter into contracts with any private, local, state or federal agency, department, firm, association or corporation for the following purposes:
 - (1) Pilot projects for the demonstration of new or innovative methods of producing renewable energy;
 - (2) Research toward the development of renewable energy sources; and
 - (3) Projects that will conserve energy or result in more efficient energy utilization;

- C. Promote energy conservation and the development of renewable energy resources through public information;**
- D. Keep records and accounts of all its activities which shall be open to inspection and audit at all times;**
- E. Accept grants, gifts and donations to be expended for the purposes of this chapter; and**
- F. Coordinate efforts among departments of State Government toward encouraging energy conservation and the development of renewable energy resources.**

3. Facilities and staff. The State Planning Office shall provide facilities and staff for the council. The council, subject to the Personnel Law, may hire an executive director to administer its functions.

§ 5205. Renewable Energy Development Fund

There is established a Renewable Energy Development Fund to be used to implement this chapter. The fund shall consist of 10% of the annual revenues from the sales tax on electricity established in Title 36, chapter 213. Moneys in this fund shall not lapse but shall be carried over until expended.

STATEMENT OF FACT

The purpose of this bill is to encourage the conservation of energy and the development of renewable energy resources through grants, demonstration projects and public information efforts. The bill also coordinates the many activities within State Government that affect energy resources and encourages the wise use of these resources in the best interests of the State.

This bill establishes a Renewable Energy Development Council to coordinate interdepartmental and private efforts toward the development of renewable energy resources and energy conservation in Maine. The council will fund state and individual demonstration projects in this area from the Renewable Energy Development Fund. This fund is to be a dedicated fund consisting of 10% of all state sales tax receipts on electricity. The fund is to be used for seed money for matching grants, outright grants and to fund state demonstration projects.

The council will consist of representatives from the following state departments and offices: Agriculture, Food and Rural Resources; Energy Resources; Conservation, Transportation, Economic Development, Marine Resources and Environmental Protection. There will also be 4 public members who will receive per diem and expenses. There will be one staff position for executive director of the council and the State Planning Office will provide administrative support.