

MAINE STATE LEGISLATURE

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114th MAINE LEGISLATURE

SECOND REGULAR SESSION - 1990

Legislative Document

No. 2150

H.P. 1552

House of Representatives, January 8, 1990

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.

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

A handwritten signature in cursive script that reads "Ed Pert".

EDWIN H. PERT, Clerk

Presented by Representative SMITH of Island Falls.

Cosponsored by Representative ANDERSON of Woodland and Representative MICHAUD of East Millinocket.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY

**An Act Pertaining to the Generation of Electric Power Through the
Use of Wood.**



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

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Sec. 1. 12 MRSA §8889 is enacted to read:

§8889. Use of mill wastewood encouraged

1. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Mill wastewood" means the by-product of a wood mill for which there is no other market except as a fuel for wood-fired combustion devices.

2. Rules. The bureau shall develop, by rules promulgated in accordance with the Maine Administrative Procedure Act, Title 5, chapter 375, a method to certify wood chips used to supply fuel to wood-fired combustion devices for small power producers or cogenerators as defined in Title 35-A, section 3303. The rules must provide:

A. A certification process to ensure that wood to be chipped is composed of at least 50% mill wastewood;

B. A requirement that the small power producer or cogenerator must provide evidence of certification that the wood chips used by it as fuel are composed of at least 50% mill wastewood; and

C. Enforcement mechanisms, including a schedule of monetary penalties sufficient to deter violation of the certification processes, to ensure that wood chips produced to be used or used as fuel are composed of at least 50% mill wastewood.

Sec. 2. 35-A MRSA §3305, sub-§4 is enacted to read:

4. Exception; insufficient use of mill wastewood as fuel. Notwithstanding subsection 1 and section 3306, the commission, by rule promulgated in accordance with the Maine Administrative Procedure Act, Title 5, chapter 375, shall establish the rate to be paid by an electric utility for the purchase of electricity from a small power producer or cogenerator if that producer or cogenerator is using wood chips to fuel a wood-fired combustion device which are not certified under Title 12, section 8889. The rate established by the commission may not exceed the average cost to the electric utility of all electric energy that it generates or purchases from other sources.

STATEMENT OF FACT

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4 This bill requires the Bureau of Forestry to establish a
6 certification process to ensure that wood chips used by small
8 power producers and cogenerators to produce electric power are
10 composed of at least 50% mill wastewood. If such an electric
power producer uses wood chips that are not certified, an
electric utility purchasing power from the producer will pay a
lower rate not to exceed the average cost to the utility of all
electric energy it generates or purchases from other sources.