

MAINE STATE LEGISLATURE

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L.D. 1379

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DATE: 6/8/05

(Filing No. S-341)

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STATE OF MAINE
SENATE
122ND LEGISLATURE
FIRST SPECIAL SESSION

SENATE AMENDMENT "B" to COMMITTEE AMENDMENT "B" to S.P. 477, L.D. 1379, Bill, "An Act To Amend the Maine Wind Energy Act"

Amend the amendment in section 1 by striking out all of that part designated "~~§5250-Q.~~" and inserting in its place the following:

§5250-Q. Community wind power generators

Notwithstanding any other provision of this subchapter, the commissioner may certify the property, equipment and employees used primarily as part of a community wind power generator of any entity that does not otherwise qualify as a qualified Pine Tree Development Zone business or that does not locate in a Pine Tree Development Zone as qualified to receive Pine Tree Development Zone benefits if the commissioner determines that such certification would support construction of a community wind power generator in this State by that entity and the entity will own title or controlling interest in that generator. The entity must demonstrate to the commissioner that the construction of the generator would not be likely to occur absent the availability of the Pine Tree Development Zone benefits. For the purposes of this section, "community wind power generator" means an electricity-generating facility at any one site with instantaneous generating nameplate capacity of not more than 10 megawatts and that is powered entirely by wind energy.'

Further amend the amendment in section 3 in that part designated "~~§3402.~~" in the first paragraph in the 15th line (page 2, line 27 in amendment) by striking out the following: "up"

SENATE AMENDMENT

2 Further amend the amendment in section 3 in that part
designated "~~§3402.~~" in the first paragraph in the 16th line (page
4 2, line 28 in amendment) by striking out the following: "300" and
inserting in its place the following: 'at least 300'

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8 Further amend the amendment in section 4 in that part
designated "~~§3404.~~" in the first paragraph in the 4th line (page
2, line 44 in amendment) by striking out the following: "high"
10 and inserting in its place the following: 'all state and federal'

12 Further amend the amendment in section 6 in the 4th line
(page 3, line 21 in amendment) by striking out the following:
14 "January 13" and inserting in its place the following: 'March 1'

16 Further amend the amendment by striking out all of section 7
(page 3, lines 31 to 34 in amendment) and inserting in its place
18 the following:

20 '**Sec. 7. Public Utilities Commission assistance in financing wind
energy projects and development of contracts; rulemaking.** By March 1,
22 2006, the Public Utilities Commission shall determine the most
effective ways for the commission to assist in the financing of
24 wind energy projects and in the development of long-term
contracts for the generation of electricity by wind power. The
26 commission shall adopt major substantive rules by March 1, 2006
to implement and govern long-term contracts for the generation of
28 electricity by wind power.'

30
32 **SUMMARY**

34 This amendment makes the following changes to Committee
Amendment "B." First, it limits the Commissioner of Economic and
36 Community Development's discretion in the designation as a
qualified Pine Tree Development Zone to the property, equipment
38 and employees dedicated primarily to a community wind power
generator. Under this amendment, no other property, equipment or
40 employees of any entity owning or containing a community wind
power generator would be eligible for the benefits of Pine Tree
42 Development Zone designation, unless otherwise included in a Pine
Tree Development Zone. Second, it changes the goal of installed
44 community wind power generator projects to at least 300 megawatts
by 2010. Third, it clarifies that wind-energy related
46 development must be consistent with state and federal
environmental standards. Fourth, it changes the report date of
48 section 6 of Committee Amendment "B" to March 1, 2006. Fifth,
this amendment requires the Public Utilities Commission to seek
effective ways to assist in developing long-term contracts for

SENATE AMENDMENT "B" to COMMITTEE AMENDMENT "B" to S.P. 477,
L.D. 1379

the generation of electricity by community wind power and conduct
rulemaking to implement any such long-term contracts.

SPONSORED BY: Ethan Strimling
(Senator STRIMLING) *ES*

COUNTY: Cumberland

FISCAL NOTE REQUIRED
(See attached)



Approved: 06/06/05 *MAC*

122nd MAINE LEGISLATURE

LD 1379

LR 1948(08)

An Act To Amend the Maine Wind Energy Act

Fiscal Note for Senate Amendment " " to Committee Amendment " B "

Sponsor: Sen. Strimling

Fiscal Note Required: Yes

Fiscal Note

Potential reduced revenue loss - General Fund

Fiscal Detail and Notes

This amendment reduces the potential situations in which an entity would be eligible for Pine Tree Development Zone benefits which may decrease the General Fund revenue loss associated with community wind power generators.