

MAINE STATE LEGISLATURE

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123rd MAINE LEGISLATURE

FIRST REGULAR SESSION-2007

Legislative Document

No. 1030

S.P. 347

March 6, 2007

An Act To Encourage Cogeneration

Reference to the Committee on Utilities and Energy suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator BARTLETT of Cumberland.
Cosponsored by Representative BLISS of South Portland and
Senators: BROMLEY of Cumberland, BRYANT of Oxford, HOBBS of York,
Representatives: BABBIDGE of Kennebunk, BRAUTIGAM of Falmouth, FITTS of Pittsfield,
FLETCHER of Winslow.

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

2 **Sec. 1. 10 MRSA §963-A, sub-§5-D** is enacted to read:

3 **5-D. Cogeneration facility.** “Cogeneration facility” means a facility that generates
4 electricity and steam or other useful forms of energy that are used for commercial,
5 industrial, heating or cooling purposes.

6 **Sec. 2. 10 MRSA §963-A, sub-§5-E** is enacted to read:

7 **5-E. Cogeneration project.** “Cogeneration project” means a project to develop,
8 construct, expand or modernize a cogeneration facility.

9 **Sec. 3. 10 MRSA c. 110, sub-c. 12** is enacted to read:

10 **SUBCHAPTER 12**

11 **COGENERATION REVOLVING LOAN PROGRAM**

12 **§1100-Z. Cogeneration revolving loan program**

13 **1. Program established.** The Cogeneration Revolving Loan Program, referred to in
14 this subchapter as "the program," is established to provide loans for cogeneration
15 projects. The authority shall administer the program.

16 **2. Fund established; sources.** The Cogeneration Revolving Loan Fund, referred to
17 in this subchapter as "the fund," is established as a revolving fund, into which must be
18 deposited all amounts appropriated or allocated to the program, interest earnings on
19 investment of fund balances, any amounts repaid to the program by loan recipients,
20 including interest, penalties and other fees and charges related to loans from the fund, and
21 funds from any other source. Amounts in the fund must be used by the authority for
22 purposes authorized in this section. Money in the fund not needed to meet current
23 obligations of the program may be invested in such a manner as is provided by law.

24 **3. Revolving fund.** The fund is a nonlapsing, revolving fund account. At the end of
25 each fiscal year, all unencumbered balances in the fund account may be carried forward
26 to be used for the purposes of the program. All money in the fund must be continuously
27 applied by the authority to carry out this section.

28 **4. Eligibility; loan application.** A person or municipality undertaking a
29 cogeneration project is eligible to apply for a loan from the fund to finance all or part of
30 the cogeneration project. For the purposes of this subsection, "person" means a
31 corporation, partnership, limited partnership, limited liability company, limited liability
32 partnership, association, trust, estate or any other legal entity or natural person. The
33 authority shall prescribe an application form or procedure that must be used to apply for a
34 loan under this section. The application must include any information that the authority
35 determines necessary for the purpose of implementing this section.

