

# MAINE STATE LEGISLATURE

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SMG  
[Handwritten initials and a circular stamp]

Date: 2-10-10

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UTILITIES AND ENERGY

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STATE OF MAINE

SENATE

124TH LEGISLATURE

SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 652, L.D. 1680, Bill, "An Act To Assist in Reviewing Wind Energy Applications"

Amend the bill by inserting after the title and before the enacting clause the following:

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

**Whereas,** creating consistency in the application and permitting process for wind energy developments before the Maine Land Use Regulation Commission and the Department of Environmental Protection will improve the application process; and

**Whereas,** in order to move quickly and fairly in processing wind energy development applications, the Maine Land Use Regulation Commission needs the authority to charge applicants fees for necessary consulting expertise, studies or materials; 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,'

Amend the bill in section 2 in paragraph C in the last blocked paragraph in the 2nd line (page 2, line 8 in L.D.) by inserting after the following: "subsection 11," the following: 'that is not a grid-scale wind energy development,'

Amend the bill in section 2 in paragraph C in the last blocked paragraph in the 3rd line (page 2, line 9 in L.D.) by striking out the following: "is located in" and inserting the following: 'that is proposed for location within'

Amend the bill by inserting after section 3 the following:

**'Sec. 4. Appropriations and allocations.** The following appropriations and allocations are made.

COMMITTEE AMENDMENT

1 **CONSERVATION, DEPARTMENT OF**  
2 **Land Use Regulation Commission 0236**

3 Initiative: Provides funding associated with application processing of wind energy  
4 development projects.

5 <b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2009-10</b>	<b>2010-11</b>
6 All Other	\$20,000	\$40,000
7		
8 <b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<u>\$20,000</u>	<u>\$40,000</u>
9		

10 Amend the bill by inserting at the end before the summary the following:

11 **'Emergency clause.** In view of the emergency cited in the preamble, this  
12 legislation takes effect when approved.'

13 **SUMMARY**

14 This amendment adds an emergency preamble, an emergency clause and an  
15 appropriations and allocations section to the bill. The amendment also clarifies the  
16 provision of the bill regarding the consideration by the Maine Land Use Regulation  
17 Commission of the effects of a wind energy development on scenic character and existing  
18 uses relating to scenic character for a wind energy development with a generating  
19 capacity of 100 kilowatts or greater but less than grid-scale.

20 **FISCAL NOTE REQUIRED**

21 (See attached)



# 124th MAINE LEGISLATURE

LD 1680

LR 2216(02)

## An Act To Assist in Reviewing Wind Energy Applications

Fiscal Note for Bill as Amended by Committee Amendment "A"

Committee: Utilities and Energy

Fiscal Note Required: Yes

### Fiscal Note

	2009-10	2010-11	Projections 2011-12	Projections 2012-13
<b>Appropriations/Allocations</b>				
Other Special Revenue Funds	\$20,000	\$40,000	\$40,000	\$40,000
<b>Revenue</b>				
Other Special Revenue Funds	\$20,000	\$40,000	\$40,000	\$40,000

#### Fiscal Detail and Notes

This legislation is expected to increase Other Special Revenue Funds revenue to the Department of Conservation by \$20,000 in fiscal year 2009-10 and \$40,000 in fiscal year 2010-11 and beyond by allowing the Land Use Regulation Commission to charge application processing fees for wind energy development projects that do not otherwise qualify as extraordinary projects. The bill includes a corresponding Other Special Revenue Funds allocation to the Department of Conservation. This revenue estimate assumes two projects would qualify each year.

Any additional costs from requiring the Chair of the Public Utilities Commission to serve on the Maine Land Use Regulation Commission in a limited capacity can be absorbed within existing budgeted resources.