

MAINE STATE LEGISLATURE

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125th MAINE LEGISLATURE

FIRST REGULAR SESSION-2011

Legislative Document

No. 1266

S.P. 387

In Senate, March 23, 2011

An Act To Protect Municipalities That Host Wind Energy Developments

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

Joseph G. Carleton Jr.

JOSEPH G. CARLETON, JR.
Secretary of the Senate

Presented by Senator SAVIELLO of Franklin.

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

2 **CONCEPT DRAFT**

3 **SUMMARY**

4 This bill is a concept draft pursuant to Joint Rule 208.

5 This bill proposes to create a mechanism to protect a community that hosts a wind
6 energy development against financial loss regarding agreements related to that
7 development. This bill proposes to provide a host community with a secured claim under
8 a community benefit agreement under the Maine Revised Statutes, Title 35-A, section
9 3454, a tax increment financing agreement under Title 30-A, chapter 206 or any other
10 financial arrangement that exposes a municipality to financial risk in the event a wind
11 energy development becomes insolvent and with payment in lieu of taxes in the event a
12 wind energy development becomes insolvent. In addition, the bill proposes to address
13 issues related to the value of a wind energy development by creating an assessment
14 methodology that considers the accelerated depreciation schedule for wind energy
15 development equipment when determining the tax increment financing value or other
16 assessment value to ensure the municipality is not exposed to undue risk.