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Public Law
123rd Legislature
Second Regular Session

Chapter 671
S.P. 893 - L.D. 2266

An Act To Promote Municipal Wind Generation Development

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

Sec. 1. 5 MRSA §1764, sub-§3, ¶D, as repealed and replaced by PL 1977, c. 563, §2, is amended to read:

D. The variable occupancy and operating conditions of the facility and subportions of the facility;
and

Sec. 2. 5 MRSA §1764, sub-§3, ¶E, as amended by PL 1997, c. 541, §2, is further amended to read:

E. Energy consumption analysis of the major equipment of the facility's heating, ventilating and cooling system, lighting system, hot water system and all other major energy-consuming equipment and systems as appropriate. This analysis must include:

(1) The comparison of alternative systems;

(2) A projection of the annual energy consumption of major energy-consuming equipment and systems for a range of operations of the facility over the life of the facility; and

(3) The evaluation of the energy consumption of component equipment in each system, considering operation of the components at other than full or rated outputs; and

Sec. 3. 5 MRSA §1764, sub-§3, ¶F is enacted to read:

F. The cost-effectiveness of integrating wind or solar electricity generating equipment into the design and construction of the facility.

Sec. 4. 30-A MRSA §5401, sub-§3, ¶B, as enacted by PL 1987, c. 737, Pt. A, §2 and Pt. C, §106 and amended by PL 1989, c. 6; c. 9, §2; and c. 104, Pt. C, §§8 and 10, is further amended to read:

B. An "energy generating system project," as defined in Title 10, section 963-A, subsection 13; or

Sec. 5. 30-A MRSA §5401, sub-§3, ¶C, as enacted by PL 1987, c. 737, Pt. A, §2 and Pt. C, §106 and amended by PL 1989, c. 6; c. 9, §2; and c. 104, Pt. C, §§8 and 10, is further amended to read:

C. A hydroelectric power facility; or

Sec. 6. 30-A MRSA §5401, sub-§3, ¶D is enacted to read:

D. A "qualified project" as defined in the United States Internal Revenue Code, 26 United States Code, Section 54(d)(2)(A) (2007).

Sec. 7. Wind energy planning and development. The Executive Department, Governor's Office of Energy Independence and Security, referred to in this section as "the office," shall provide assistance in wind and other energy planning in accordance with this section.

1. The office shall monitor developments in technology and in state and federal law to determine whether opportunities are available for the development of wind energy resources by the State's agencies, political subdivisions, rural electrification cooperatives and other municipal or quasi-municipal entities or municipally owned corporations that provide electric transmission, distribution or generation services. The office shall regularly advise the Energy Resources Council of its findings under this subsection.

2. The office shall develop information resources to assist the State's political subdivisions, rural electrification cooperatives and other municipal or quasi-municipal entities or municipally owned corporations that provide electric transmission, distribution or generation services to develop, design, construct, install and finance wind and other renewable electricity generation projects to the extent possible using available financing incentives under federal and state law.

The office shall form one or more advisory groups of persons with relevant expertise and experience to advise the office in undertaking its responsibilities under this section. No later than January 15, 2009, the office shall report on its activities under this section to the joint standing committee of the Legislature having jurisdiction over utilities and energy matters. Following receipt and review of the report, the joint standing committee may submit legislation to the First Regular Session of the 124th Legislature regarding the subject matter of this section.