

126th MAINE LEGISLATURE

FIRST REGULAR SESSION-2013

Legislative Document

No. 1472

H.P. 1053

House of Representatives, April 30, 2013

An Act To Provide for Economic Development with Offshore Wind Power

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

Millient M. Macfarland MILLICENT M. MacFARLAND Clerk

Presented by Representative KRUGER of Thomaston.

Cosponsored by Senator CAIN of Penobscot and

Representatives: HERBIG of Belfast, TIPPING-SPITZ of Orono, WELSH of Rockport,

Senator: SAVIELLO of Franklin.

2 3	Sec. 1. 5 MRSA §15301, sub-§2, as enacted by PL 1999, c. 401, Pt. AAA, §3, is amended to read:
4 5 6 7 8 9	2. Targeted technologies. "Targeted technologies" means biotechnology, aquaculture and marine technology, composite materials technology, environmental technology, advanced technologies for forestry and agriculture, information technology, technology for the manufacturing of offshore wind energy developments as defined in Title 35-A, section 102, subsection 10-A and precision manufacturing technology. These targeted technologies may be amended only by the Legislature.
10 11	Sec. 2. 10 MRSA §963-A, sub-§10, ¶S, as amended by PL 2009, c. 372, Pt. D, §2, is further amended to read:
12	S. Any transmission facilities project; and
13 14	Sec. 3. 10 MRSA §963-A, sub-§10, ¶T, as enacted by PL 2009, c. 372, Pt. D, §3, is amended to read:
15	T. An Efficiency Maine project-; and
16	Sec. 4. 10 MRSA §963-A, sub-§10, ¶U is enacted to read:
17 18 19	U. Any offshore wind energy development as defined in Title 35-A, section 102, subsection 10-A or project to manufacture components for an offshore wind energy development.
20	Sec. 5. 35-A MRSA §102, sub-§10-A is enacted to read:
21 22 23 24 25 26	10-A. Offshore wind energy development. "Offshore wind energy development" means a project that uses a windmill or wind turbine to convert wind energy to electrical energy for purchase or sale and is located in the waters off the coast of the State. "Offshore wind energy development" includes both generating facilities as defined by section 3451, subsection 5 and associated facilities as defined by section 3451, subsection 1.
27	Sec. 6. 35-A MRSA §3210, sub-§10 is enacted to read:
28 29 30 31 32 33 34	10. Offshore wind energy development portfolio requirement. When the cost of electricity generated by an offshore wind energy development is substantially equal to market value as determined by the commission, the commission shall establish by rule a portfolio requirement to guarantee the purchase of any electricity generated by an offshore wind energy development. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.
35	Sec. 7. 36 MRSA §5219-II is enacted to read:

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

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§5219-II. Offshore wind energy development

 A person developing an offshore wind energy development as defined in Title 35-A, section 102, subsection 10-A is allowed a credit against the taxes imposed by this Part equal to 100% of the taxes due under this Part that are attributable to the person's ownership of the offshore wind energy development in an amount not to exceed \$5,000,000.

Sec. 8. Public Utilities Commission to develop criteria. The Public Utilities Commission shall develop criteria for issuing certificates of public convenience and necessity for offshore wind energy developments. The commission shall submit a bill to the Second Regular Session of the 126th Legislature to make any statutory changes needed to establish the criteria in the Maine Revised Statutes. Title 35-A. section 3132.

12 SUMMARY

This bill adds offshore wind energy developments and associated manufacturing as a targeted technology for support from the Maine Technology Institute. This bill adds offshore wind energy developments and associated manufacturing as an eligible project to receive financial assistance from the Finance Authority of Maine. This bill provides for a \$5,000,000 tax credit for ownership of offshore wind energy developments. This bill directs the Public Utilities Commission to implement a portfolio requirement that will guarantee the sale of any energy generated by an offshore wind energy development when the cost of that energy is substantially equal to market value. This bill directs the Public Utilities Commission to identify specific criteria for issuing a certificate of public convenience and necessity for an offshore wind energy development and to submit a bill to the Second Regular Session of the 126th Legislature to establish the criteria in statute.