

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

## **An Act To Transfer the Administration of the Renewable Resource Fund from the State Planning Office to the Public Utilities Commission**

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

**Whereas,** the Executive Department, State Planning Office has the authority to administer the Renewable Resource Fund in the current fiscal year, which ends June 30, 2007; and

**Whereas,** transferring the authority to administer the Renewable Resource Fund to the Public Utilities Commission on July 1, 2007 will ensure that there is no lapse in spending authority during the transition of administrative responsibility for the fund; 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,

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

**Sec. 1. 35-A MRSA §3210, sub-§5,** as amended by PL 1999, c. 372, §1 and PL 2003, c. 20, Pt. OO, §2 and affected by §4, is further amended to read:

**5. Funding for research and development; community demonstration projects.** The commission by rule shall establish and administer a program allowing retail consumers of electricity to make voluntary contributions to fund renewable resource research and development and to fund ~~demonstration~~ community demonstration projects using renewable energy technologies. ~~The State Planning Office shall administer the program.~~ The program must:

- A. Include a mechanism for customers to indicate their willingness to make contributions;
- B. Provide that transmission and distribution utilities collect and account for the contributions and forward them to the commission;
- C. Provide for a distribution of the funds to the University of Maine System, the Maine Maritime Academy or the Maine Community College System for renewable resource research and development; and
- D. Provide for a distribution of the funds to Maine-based nonprofit organizations that qualify under the federal Internal Revenue Code, Section 501(c)(3), consumer-owned ~~electric cooperatives~~ transmission and distribution utilities, community-based nonprofit organizations ~~and~~, community action programs, municipalities, quasi-municipal corporations or districts as defined in Title 30-A, section 2351 and school administrative units as defined in Title 20-A, section 1 for ~~demonstration~~ community demonstration projects using renewable energy technologies.

Rules adopted under this subsection are routine technical rules pursuant to Title 5, chapter 375, subchapter H-A2-A.

**Sec. 2. 35-A MRSA §3210, sub-§6,** as enacted by PL 1999, c. 372, §2, is amended to read:

**6. Fund.** There is established the Renewable Resource Fund, referred to in this subsection as the "fund." The fund is a nonlapsing fund administered by the ~~State Planning Office~~ commission. All funds collected by the commission pursuant to subsection 5 must be deposited in the fund for distribution by the ~~State Planning Office~~ commission in accordance with subsection 5. The ~~State Planning Office~~ commission may seek and accept funding for the program established pursuant to subsection 5 from other sources, public or private. Any funds accepted for use in the program established pursuant to subsection 5 must be deposited in the fund.

**Sec. 3. 35-A MRSA §3210, sub-§6-A** is enacted to read:

**6-A. Renewable Resource Fund report.** The commission shall report by December 1st of each year to the joint standing committee of the Legislature having jurisdiction over utilities and energy matters on the Renewable Resource Fund established in subsection 6 and referred to in this subsection as "the fund." The report must include:

- A. A description of actions taken by the commission pursuant to subsections 5 and 6 during the prior 12 months;
- B. An accounting of total deposits into and expenditures from the fund during the prior 12 months; and
- C. A description of any research and development or community demonstration project that received a distribution from the fund during the prior 12 months, including its objectives, current status and results.

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

**EXECUTIVE DEPARTMENT  
 Renewable Resource Fund 0912**

Initiative: Deallocates funds due to a transfer of the Renewable Resource Fund currently administered by the Executive Department, State Planning Office to the Public Utilities Commission.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2007-08</b>	<b>2008-09</b>
All Other	(\$500)	(\$500)
	<hr/>	
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	(\$500)	(\$500)

<b>EXECUTIVE DEPARTMENT              DEPARTMENT TOTALS</b>	<b>2007-08</b>	<b>2008-09</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	(\$500)	(\$500)
	<hr/>	
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	(\$500)	(\$500)

**PUBLIC UTILITIES COMMISSION  
 Renewable Resource Fund 0912**

Initiative: Allocates funds to allow a transfer of the Renewable Resource Fund currently administered by the Executive Department, State Planning Office to the Public Utilities Commission. This allocation will provide funding for initiatives through revenue fund transfers and authorizes the use of the estimated balance forward.

PUBLIC Law, Chapter 18 LD 36, item 1, 123rd Maine State Legislature  
 An Act To Transfer the Administration of the Renewable Resource  
 Fund from the State Planning Office to the Public Utilities Commission

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2007-08</b>	<b>2008-09</b>
All Other	\$500	\$500
	<hr/>	
OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500
<b>PUBLIC UTILITIES COMMISSION</b>		
<b>DEPARTMENT TOTALS</b>	<b>2007-08</b>	<b>2008-09</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>\$500</b>	<b>\$500</b>
	<hr/>	
DEPARTMENT TOTAL - ALL FUNDS	\$500	\$500
<b>SECTION TOTALS</b>	<b>2007-08</b>	<b>2008-09</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>\$0</b>	<b>\$0</b>
	<hr/>	
SECTION TOTAL - ALL FUNDS	\$0	\$0

**Emergency clause.** In view of the emergency cited in the preamble, this legislation takes effect July 1, 2007.

Effective July 1, 2007.