

MAINE STATE LEGISLATURE

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The Minority of the same Committee on the same subject reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-627)**.

Signed:

Representatives:
PLOWMAN of Hampden
MADORE of Augusta
WATERHOUSE of Bridgton

Comes from the House with the Minority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-627)**.

Reports **READ**.

Senator **LONGLEY** of Waldo moved the Senate **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in **NON-CONCURRENCE**.

On motion by Senator **BENNETT** of Oxford, supported by a Division of at least one-fifth of the members present and voting, a Roll Call was ordered.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#123)

YEAS: Senators: ABROMSON, AMERO, BENOIT, CATHCART, DAGGETT, DOUGLASS, GOLDTHWAIT, HARRIMAN, KILKELLY, KONTOS, LONGLEY, MILLS, NUTTING, PENDLETON, PINGREE, RAND, TREAT, THE PRESIDENT - MARK W. LAWRENCE

NAYS: Senators: BENNETT, BERUBE, CAREY, CASSIDY, DAVIS, FERGUSON, KIEFFER, LAFOUNTAIN, LIBBY, MACKINNON, MURRAY, O'GARA, PARADIS, RUHLIN

ABSENT: Senators: MICHAUD, SMALL

EXCUSED: Senator: MICHAUD

18 Senators having voted in the affirmative and 14 Senators having voted in the negative, with 2 Senators being absent, and 1 Senator being excused, the motion by Senator **LONGLEY** of Waldo to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in **NON-CONCURRENCE**, **PREVAILED**.

Sent down for concurrence.

ORDERS OF THE DAY

The Chair laid before the Senate the following Tabled and Later (5/17/99) Assigned matter:

An Act to Strengthen Maine's Research and Development Capacity in Renewable Energy Resources

H.P. 1152 L.D. 1649
(C "A" H-523)

Tabled - May 17, 1999, by Senator **BENNETT** of Oxford.

Pending - **ENACTMENT**, in concurrence

(In Senate, May 12, 1999, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-523)**, in concurrence.)

(In House, May 14, 1999, **PASSED TO BE ENACTED**.)

Senator **BENNETT** of Oxford moved the Bill and accompanying papers be **INDEFINITELY POSTPONED**, in **NON-CONCURRENCE**.

THE PRESIDENT: The Chair recognizes the Senator from Oxford, Senator Bennett.

Senator **BENNETT:** Thank you Mr. President. Fellow members of the Senate, I really do this very reluctantly. I have a tremendous amount of respect for Committee Reports, particularly those of the unanimous sort. I do this only because I serve on the Joint Select Committee on Research and Development. This Bill came jointly referred to us and the Committee on Utilities and Energy. After Public Hearing and Work Session we actually moved this to the Utilities Committee. I was hopeful at the time that the Utilities Committee would dispense with it. And they did do a good job in dispensing with a significant portion of it, but I wanted to draw this to your attention because I frankly think this Bill has the promise of being one of those sorts of things that we Enact in the Legislature with the best of intentions and then about 90 days after adjournment, when it becomes law, people start wondering why we did this. I thought it in the best interest of us just to discuss it briefly.

This Bill, as it was originally constituted, would have set up a one-million dollar General Fund. A special fund that would be available to match with a check off, a voluntary check off on peoples electric bills from their utility in this state. Those monies, the amount that people would voluntarily contribute, in addition to their electric payment, and the money that would match it from this fund would actually then go to fund a research and development capacity in renewable energy resources. The Utilities Committee, I think, wisely decided not to fund this with General Fund money. But what remains here is the match. Not the match, but the actual voluntary contribution. So if we Enact this Bill. What we're doing is we're setting up a system whereby people will get an electric bill, there will be a voluntary check off, not unlike the chick-a-dee check off or those that we see on our tax forms, on their electric bill, which will allow them to contribute extra money to this fund, then we are suppose to get this money, however much that may generate, and I frankly don't think it's going to be a lot, and we are supposed to apply it to renewable energy research and development.

I think that research and development in this area is a good thing. I don't think that this is the way to do it. I think if we are to do this, that we ought to make a serious commitment out of it, and not just sort of wave a wand and say, well if people want to

contribute to this, than this is a good mechanism to do it. It just seems to be that this is a strange, at best, idea and maybe it was just a silly idea. I, for one, thought it not in the best of public policy to do this. So for that reason I present this to you tonight, and again, with respect for the work of the two Committees who have seen this Bill, and suggest that we may want to Indefinitely Postpone this Bill. And so I present it therefore, and ask for your favorable consideration of my motion. Thank you.

THE PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Kontos.

Senator **KONTOS:** Thank you Mr. President. Men and women of the Senate, the good Senator from Oxford made some legitimate points about this Bill and does give you the historical perspective of what's happened to it in terms of going to two Committees, both of which I serve on. The Research and Development Committee thought, as the Senator said, that this had some value. It had merit in terms of the research and development capacity of the State. Knowing that we didn't have all the kinds of money to fund these sorts of projects, and that this had merit. However, the Research and Development Committee felt there were technical issues involved with renewable energy that ought to go more appropriately to the Utilities Committee, and they did as the good Senator said, which is to refine the Bill even further. I share his concern that there is no major appropriation. And if we had more revenues to put into this direction, I think there would have been a fair amount of agreement to direct some of it to the Renewable Energy Fund. Regrettably, there is not. This did not become a priority for the Research and Development Committee, and clearly the Utilities Committee felt uncomfortable seeking General Fund Dollars to support it. However, they did see that there was merit in looking at a Renewable Energy Fund. If you look at the Bill you will see that it is designed to fund demonstration community projects using renewable energy technologies. Now that may not seem like it's such a major issue for us now where we have reduced energy costs in some parts of the state, and we're not standing in line to buy gasoline or worry about getting heating oil, but in the last decade those were not the situations that we were dealing with. And the notion of renewable energy has always been part of the State's energy policy in terms of a worthwhile goal. The monies collected through peoples voluntary contribution would then be put toward a fund that would be administered by the State Planning Office to those projects that would be through non-profit organizations, consumer owned electric cooperatives, community based non-profits, and community action programs who would then take a look at these sorts of experimental or demonstration projects that could take place in a community. It could be anything from wind power, to battery operated, to any kinds of the renewable energy projects that would be a demonstration project. In addition, the State Planning Office can seek additional funds. So if there were funds available through the Department of Energy at the Federal level, sometimes the Department of Defense, sometimes through the National Science Foundation, the State Planning Office could, in fact, through language in this Bill make application to those other funding sources, and contribute to this fund. While there are weaknesses in it, as the good Senator described to you, I think the Bill has merit. I think it does match our long-term energy policy. I think the fact that both Committees looked at it, and saw merit in it, there was not major objection other than the one you heard voiced by the good Senator. I hope you defeat

the pending motion. And Mr. President, I would ask for a Roll Call.

On motion by Senator **KONTOS** of Cumberland, supported by a Division of at least one-fifth of the members present and voting, a Roll Call was ordered.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#124)

YEAS: Senators: ABROMSON, AMERO, BENNETT, BENOIT, CASSIDY, DAVIS, FERGUSON, GOLDTHWAIT, HARRIMAN, KIEFFER, LIBBY, MILLS

NAYS: Senators: BERUBE, CAREY, CATHCART, DAGGETT, DOUGLASS, KILKELLY, KONTOS, LAFOUNTAIN, LONGLEY, MACKINNON, MICHAUD, MURRAY, NUTTING, O'GARA, PARADIS, PENDLETON, PINGREE, RAND, RUHLIN, TREAT, THE PRESIDENT - MARK W. LAWRENCE

ABSENT: Senator: SMALL

EXCUSED: Senator: MITCHELL

12 Senators having voted in the affirmative and 21 Senators having voted in the negative, with 1 Senator being absent, and 1 Senator being excused, the motion by Senator **BENNETT** of Oxford to **INDEFINITELY POSTPONE** the Bill and accompanying papers, **FAILED**.

PASSED TO BE ENACTED and having been signed by the President was presented by the Secretary to the Governor for his approval.

The Chair laid before the Senate the following Tabled and Later (5/10/99) Assigned matter:

HOUSE REPORTS - from the Committee on **TAXATION** on Bill "An Act to Amend the Laws Regarding when A Merchant Must Remit Sales Tax"

H.P. 306 L.D. 422

Majority - **Ought to Pass as Amended by Committee Amendment "A" (H-393)** (11 members)

Minority - **Ought to Pass as Amended by Committee Amendment "B" (H-394)** (2 members)

Tabled - May 10, 1999, by Senator **PINGREE** of Knox.

Pending - **ACCEPTANCE OF EITHER REPORT**