

**§4132. General powers and duties**

The agency has all the powers necessary or convenient to carry out this chapter, including, without limitation, those general powers provided a business corporation by the Maine Business Corporation Act, Title 13-C, and including, without limiting the generality of this paragraph, the power: [RR 2001, c. 2, Pt. B, §56 (COR); RR 2001, c. 2, Pt. B, §58 (AFF).]

**1. Acceptance, grants or gifts.** To accept gifts or grants of property, funds, money, materials, labor, supplies or services from the United States or from any person, and to carry out the terms or provisions or make agreements with respect to any gifts or grants, and to do any acts necessary, useful, desirable or convenient in connection with procuring acceptance or disposition of gifts or grants; [PL 1987, c. 141, Pt. A, §6 (NEW).]

**2. Acquisition.** To acquire by purchase, lease, gift or otherwise, or to obtain options for the acquisition of any property, real or personal, improved or unimproved, tangible or intangible, including an interest in land of less than the fee; [PL 1987, c. 141, Pt. A, §6 (NEW).]

**3. Disposal of real or personal property.** To sell, lease, mortgage, exchange, transfer or otherwise dispose of any real or personal property or interest in it, or to grant options for any of those purposes; [PL 1987, c. 141, Pt. A, §6 (NEW).]

**4. Assignment of revenues.** To pledge or assign any money, fees, charges or other revenues of the agency and any proceeds derived by the agency from the sale of property, or from insurance or condemnation awards; [PL 1987, c. 141, Pt. A, §6 (NEW).]

**5. Authorization.** To perform any act authorized by this chapter through its officers, agents or employees or by the contracts with any person, firm or corporation; [PL 1987, c. 141, Pt. A, §6 (NEW).]

**6. Borrow funds.** To borrow money and issue its notes and bonds as provided in this chapter; [PL 1987, c. 141, Pt. A, §6 (NEW).]

**7. Purchase electricity.** To purchase electricity and energy, including without limiting the generality of this section, all or a portion of the capacity and output of one or more specific projects; [PL 1987, c. 141, Pt. A, §6 (NEW).]

**8. Sale of electricity.** To sell electricity and other products and services of electric power facilities to any person inside or outside the State or the United States. Utilities may purchase electricity sold by the agency, provided that nothing in this chapter authorizes resale of electricity purchased from the agency, except as otherwise authorized by law. This subsection does not allow retail sales to consumers or commercial and industrial users, except as otherwise provided by law; [PL 1987, c. 141, Pt. A, §6 (NEW).]

**9. Contracts.** To contract for the use of transmission and distribution facilities owned by others for the delivery to the agency of electricity purchased by the agency and to purchasers of electric power and energy sold by the agency. These other owners may contract with the agency; [PL 1987, c. 141, Pt. A, §6 (NEW).]

**10. Other contracts.** To contract with respect to the purchase, sale, delivery, exchange, interchange, wheeling, pooling, transmission or use of electricity and to otherwise participate in intrastate, interstate and international arrangements with respect to those matters, including the New England power pool, except that this power may not be exercised so as to conflict with or diminish in any way the powers and obligations of the commission under this Title regarding planning and entering into agreements for the supply of electricity;

[PL 1987, c. 141, Pt. A, §6 (NEW).]

**11. Plan.** Individually or jointly with any other person to plan, finance, acquire, construct, improve, purchase, operate, maintain, use, share costs of, own, lease, sell, dispose of or otherwise participate in projects or portions of projects, the product or service from them, securities or obligations issued or incurred in connection with the financing of them or research and development relating to them, inside or outside the State. The agency may also enter into and perform contracts with any person with respect to the powers set out in this subsection. If the agency acquires or owns an interest as a tenant in common with others in any projects, the surrender or waiver by the agency or by the other property owner of its right to partition the property for a period not exceeding the period for which the property is used or useful for utility purposes may not be invalid and unenforceable by reason of length of the period, or as unduly restricting the alienation of the property;

[PL 1999, c. 398, Pt. A, §92 (AMD); PL 1999, c. 398, Pt. A, §§104, 105 (AFF).]

**12. Apply for permits.** To apply to the appropriate agencies of the State, other states, the United States, Canada, any of its provinces and any divisions, departments, agencies and instrumentalities of Canada, and to any other proper agency for permits, licenses, certificates or approvals which may be necessary, and to construct, maintain and operate projects in accordance with these licenses, permits, certificates or approvals;

[PL 1987, c. 141, Pt. A, §6 (NEW).]

**13. Application to expend assistance.** To apply and contract for and to expend assistance from the United States or other sources, whether in form of a grant or loan or otherwise;

[PL 1987, c. 141, Pt. A, §6 (NEW).]

**14. Contract; administrative services.** To contract for administrative services with any person;

[PL 1987, c. 141, Pt. A, §6 (NEW).]

**15. Execution.** To make and execute all contracts and agreements and other instruments necessary or convenient in the exercise of the powers and functions of the agency under this chapter; and

[PL 1987, c. 141, Pt. A, §6 (NEW).]

**16. Other powers and duties.** To perform all acts necessary, convenient or desirable to carry out the purposes of this chapter or the powers expressly granted or necessarily implied in this chapter.

[PL 1987, c. 141, Pt. A, §6 (NEW).]

#### SECTION HISTORY

PL 1987, c. 141, §A6 (NEW). PL 1991, c. 855, §§1,2 (AFF). PL 1999, c. 398, §A92 (AMD). PL 1999, c. 398, §§A104,105 (AFF). RR 2001, c. 2, §B56 (COR). RR 2001, c. 2, §B58 (AFF).

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