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Legislative Document

No. 1170

H.P. 868

House of Representatives, March 17, 2011

An Act To Establish a Code of Ethics for Individuals Involved in Grid-scale Wind Energy Development

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

A handwritten signature in cursive script that reads "Heather J.R. Priest".

HEATHER J.R. PRIEST
Clerk

Presented by Representative DUNPHY of Embden.
Cosponsored by Senator WHITTEMORE of Somerset and
Representatives: CRAFTS of Lisbon, CRAY of Palmyra, JOHNSON of Eddington, LIBBY of
Waterboro, MAKER of Calais, MALABY of Hancock, SIROCKI of Scarborough, WINTLE
of Garland.

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

2 **Sec. 1. 30-A MRSA §2608** is enacted to read:

3 **§2608. Grid-scale wind energy development code of ethics**

4 **1. Definitions.** As used in this section, unless the context otherwise indicates, the
5 following terms have the following meanings.

6 A. "Governing body" means a governing unit of a municipality, county or state.

7 B. "Government official" means an elected or appointed member of a municipal or
8 county government or of the State Government or its agencies involved in reviewing,
9 permitting or another governmental activity affecting a grid-scale wind energy
10 development.

11 C. "Grid-scale wind energy development" has the same meaning as in Title 35-A,
12 section 3451, subsection 6.

13 D. "Wind energy developer" means a person, firm or corporation proposing or
14 financing a grid-scale wind energy development or that person's, firm's or
15 corporation's representative or agent.

16 E. "Wind energy development code of ethics" means the code of ethics established
17 pursuant to this section governing the conduct of a municipal, county or state official
18 and a wind energy developer.

19 **2. Code of ethics.** The Attorney General shall by rule establish a wind energy
20 development code of ethics. The wind energy development code of ethics must include,
21 but is not limited to, provisions that:

22 A. Govern the conduct of a government official and the government official's
23 relatives with respect to a wind energy developer, including provisions defining and
24 prohibiting conflicts of interest, including the acceptance of compensation or gifts,
25 employment by the wind energy developer during the government official's term of
26 office and for a specified amount of time after the completion of the government
27 official's term of office and the disclosure of confidential information acquired by a
28 government official in the course of the government official's duties; and

29 B. Govern the conduct of a wind energy developer with respect to a government
30 official and a government official's relatives, including provisions:

31 (1) Defining and prohibiting compensation, gifts and payment of legal fees to a
32 government official, the government official's relatives or any 3rd party on behalf
33 of the government official;

34 (2) Prohibiting the employment of any government official, or the government
35 official's relatives, during the government official's term of office and for a
36 specified amount of time after the completion of the government official's term of
37 office; and

