

MAINE STATE LEGISLATURE

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121st MAINE LEGISLATURE

FIRST REGULAR SESSION-2003

Legislative Document

No. 633

H.P. 463

House of Representatives, February 11, 2003

**An Act To Provide for Local Approval of Existing or Former
Hydropower Projects To Enable Prioritization of Renewable
Indigenous Energy Generation in Maine**

Reference to the Committee on Natural Resources suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative FLETCHER of Winslow.
Cosponsored by Senator STANLEY of Penobscot.

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

4 **Sec. 1. 38 MRSA §635-C** is enacted to read:

6 **§635-C. Local approval**

8 **1. Authority to override department's decision.** A
10 **municipality in which a hydropower project is located may**
override the department's decision pursuant to section 635 at a
town meeting specially called for this purpose if:

12 **A. The hydropower project was built prior to 1952;**

14 **B. The hydropower project is or will be rebuilt to a height**
of 15 feet or less; and

16 **C. The hydropower project does not require a license from**
18 **the Federal Energy Regulatory Commission or a federal**
exception for a hydropower project.

20 **2. Standards.** A project that is approved by a municipality
22 **pursuant to this section must meet all standards required by the**
department.

24

26 **SUMMARY**

28 This bill provides municipalities with the authority to
30 override a decision made by the Department of Environmental
Protection regarding construction or reconstruction of a
hydropower project.