

MAINE STATE LEGISLATURE

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132nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2025

Legislative Document

No. 342

H.P. 242

House of Representatives, February 3, 2025

An Act to Include Nuclear Power in the State's Renewable Portfolio Standard

Received by the Clerk of the House on January 30, 2025. Referred to the Committee on Energy, Utilities and Technology pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

A handwritten signature in black ink that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative PAUL of Winterport.
Cosponsored by Representatives: CAMPBELL of Orrington, DANA of the Passamaquoddy Tribe, FOSTER of Dexter, MCINTYRE of Lowell, WADSWORTH of Hiram, WARREN of Scarborough, Senator: HARRINGTON of York.

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

2 **Sec. 1. 35-A MRSA §3210, sub-§2, ¶B-3**, as amended by PL 2019, c. 477, §1, is
3 further amended by amending subparagraph (1), division (g) to read:

4 (g) Anaerobic digestion of by-products of waste from animals or agricultural
5 crops, food or vegetative material, algae or organic refuse; ~~or~~

6 **Sec. 2. 35-A MRSA §3210, sub-§2, ¶B-3**, as amended by PL 2019, c. 477, §1, is
7 further amended by amending subparagraph (2) to read:

8 (2) That relies on wind power installations or solar power installations; or

9 **Sec. 3. 35-A MRSA §3210, sub-§2, ¶B-3**, as amended by PL 2019, c. 477, §1, is
10 further amended by enacting a new subparagraph (3) to read:

11 (3) That relies on a nuclear power plant, as defined in section 4352, subsection 9,
12 that is constructed after January 1, 2025.

13 **Sec. 4. 35-A MRSA §3210, sub-§2, ¶C**, as amended by PL 2009, c. 542, §5, is
14 further amended by amending subparagraph (1) to read:

15 (1) That qualifies as a small power production facility under the Federal Energy
16 Regulatory Commission rules, 18 Code of Federal Regulations, Part 292, Subpart
17 B, as in effect on January 1, 1997; ~~or~~

18 **Sec. 5. 35-A MRSA §3210, sub-§2, ¶C**, as amended by PL 2009, c. 542, §5, is
19 further amended by amending subparagraph (2), division (h) to read:

20 (h) Generators fueled by municipal solid waste in conjunction with recycling;
21 or

22 **Sec. 6. 35-A MRSA §3210, sub-§2, ¶C**, as amended by PL 2009, c. 542, §5, is
23 further amended by enacting a new subparagraph (3) to read:

24 (3) That relies on a nuclear power plant, as defined in section 4352, subsection 9,
25 that is constructed after January 1, 2025.

26 **SUMMARY**

27 This bill includes a source of electrical generation relying on a nuclear power plant
28 constructed after January 1, 2025 in the definition of a renewable capacity resource and a
29 renewable resource. Renewable capacity resources are Class I resources for the purposes
30 of the portfolio supply source requirements applicable to competitive electricity providers
31 in the State.