

MAINE STATE LEGISLATURE

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132nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2025

Legislative Document

No. 371

S.P. 163

In Senate, February 3, 2025

An Act to Expand Hydroelectric Development by Removing the 100-megawatt Cap

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

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator MARTIN of Oxford.
Cosponsored by Representative PAUL of Winterport and
Senators: CYRWAY of Kennebec, HARRINGTON of York, TIMBERLAKE of
Androscoggin, Representatives: FOSTER of Dexter, SOBOLESKI of Phillips,
WADSWORTH of Hiram.

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 to read:

4 B-3. "Renewable capacity resource" means a source of electrical generation:

5 (1) Whose total power production capacity does not exceed 100 megawatts and
6 relies on one or more of the following:

7 (a) Fuel cells;

8 (b) Tidal power;

9 (d) Geothermal installations;

10 ~~(e) Hydroelectric generators that meet all state and federal fish passage~~
11 ~~requirements applicable to the generator;~~

12 (f) Biomass generators that are fueled by wood, wood waste or landfill gas; or

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

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

16 (3) That relies on hydroelectric generators that meet all state and federal fish
17 passage requirements applicable to the generator.

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

20 C. "Renewable resource" means a source of electrical generation:

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

24 (2) Whose total power production capacity does not exceed 100 megawatts and
25 that relies on one or more of the following:

26 (a) Fuel cells;

27 (b) Tidal power;

28 (c) Solar arrays and installations;

29 (d) Wind power installations;

30 (e) Geothermal installations;

31 ~~(f) Hydroelectric generators;~~

32 (g) Biomass generators that are fueled by wood or wood waste, landfill gas or
33 anaerobic digestion of agricultural products, by-products or wastes; or

34 (h) Generators fueled by municipal solid waste in conjunction with recycling;
35 or

36 (3) That relies on hydroelectric generators.

