

# MAINE STATE LEGISLATURE

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2009  
H. of S.

Date: 6/2/15

Minority

(Filing No. H- 270)

ENERGY, UTILITIES AND TECHNOLOGY

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
127TH LEGISLATURE  
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 90, L.D. 132, Bill, "An Act To Remove the 100-megawatt Limit on Hydropower under the Renewable Resources Laws"

Amend the bill by striking out the title and substituting the following:

'An Act To Remove the 100-megawatt Limit under the Renewable Resources Laws'

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

'Sec. 1. 35-A MRSA §3210, sub-§2, ¶B-3, as enacted by PL 2009, c. 542, §3, is amended to read:

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

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

- (a) Fuel cells;
- (b) Tidal power;
- (c) Solar arrays and installations;
- (d) Geothermal installations;
- (e) Hydroelectric generators that meet all state and federal fish passage requirements applicable to the generator; or
- (f) Biomass generators that are fueled by wood or wood waste; or landfill gas or anaerobic digestion of agricultural products, by products or wastes; or
- (g) Anaerobic digestion of by-products of waste from animals or agricultural crops, food or vegetative material, algae or organic refuse; or
- (h) Wind power installations.

~~(2) That relies on wind power installations.~~

COMMITTEE AMENDMENT

R. O. S.

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

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

- (1) ~~That qualifies~~ Qualifies as a small power production facility under the Federal Energy Regulatory Commission rules, 18 Code of Federal Regulations, Part 292, Subpart B, as in effect on January 1, 1997; or
- (2) ~~Whose total power production capacity does not exceed 100 megawatts and that relies~~ Relies on one or more of the following:
  - (a) Fuel cells;
  - (b) Tidal power;
  - (c) Solar arrays and installations;
  - (d) Wind power installations;
  - (e) Geothermal installations;
  - (f) Hydroelectric generators;
  - (g) Biomass generators that are fueled by wood or wood waste, landfill gas or anaerobic digestion of agricultural products, by-products or wastes; or
  - (h) Generators fueled by municipal solid waste in conjunction with recycling.

**SUMMARY**

This amendment, which is the minority report, removes the 100-megawatt maximum capacity limit for all generation sources as it pertains to renewable capacity resources and renewable resources, not just hydroelectric generation, as in the bill. The amendment also adds anaerobic digestion of by-products of waste from animals or agricultural crops, food or vegetative material, algae and organic refuse as a renewable capacity resource under the renewable resource portfolio requirements.

**FISCAL NOTE REQUIRED**

(See attached)



Approved: 05/29/15 *MAC*

# 127th MAINE LEGISLATURE

LD 132

LR 435(02)

An Act To Remove the 100-megawatt Limit on Hydropower under the Renewable Resources Laws

Fiscal Note for Bill as Amended by Committee Amendment

*A(H-270)*

Committee: Energy, Utilities and Technology

Fiscal Note Required: Yes

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## Fiscal Note

Minor cost increase - Other Special Revenue Funds

### Fiscal Detail and Notes

Any additional costs to the Public Utilities Commission from removing the 100-megawatt power production capacity limit for renewable capacity resources and renewable resources, as well as changing the statutory definitions of these two resources, are expected to be minor and can be absorbed within existing budgeted resources.