

MAINE STATE LEGISLATURE

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2019

Date: 5/3/19

Minority

(Filing No. H-208)

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ENERGY, UTILITIES AND TECHNOLOGY

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
129TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 757, L.D. 1027, Bill, "An Act To Eliminate the 100-megawatt Limit on Hydroelectric Generators under the Renewable Resources Laws"

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

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

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

'Sec. 1. 35-A MRSA §3210, sub-§2, ¶B-3, as amended by PL 2015, c. 220, §1, is further amended to read:

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

(1) ~~Whose total power production capacity does not exceed 100 megawatts and~~
That 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;
- (f) Biomass generators that are fueled by wood, wood waste or landfill gas;
or
- (g) Anaerobic digestion of by-products of waste from animals or agricultural crops, food or vegetative material, algae or organic refuse; or

COMMITTEE AMENDMENT

1 (h) Wind power installations.

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

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

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

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

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

11 (a) Fuel cells;

12 (b) Tidal power;

13 (c) Solar arrays and installations;

14 (d) Wind power installations;

15 (e) Geothermal installations;

16 (f) Hydroelectric generators;

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

19 (h) Generators fueled by municipal solid waste in conjunction with
20 recycling.'

21 Amend the bill by relettering or renumbering any nonconsecutive Part letter or
22 section number to read consecutively.

23 **SUMMARY**

24 This amendment replaces the bill. The amendment removes the 100-megawatt
25 capacity limit for a resource to qualify as a renewable resource or a renewable capacity
26 resource for the purpose of meeting the State's renewable resource portfolio requirement.

FISCAL NOTE REQUIRED
(See Attached)



Approved: 04/03/19 *MRC*

129th MAINE LEGISLATURE

LD 1027

LR 1123(02)

An Act To Eliminate the 100-megawatt Limit on Hydroelectric Generators under the Renewable Resources Laws

Fiscal Note for Bill as Amended by Committee Amendment *A(H-208)*

Committee: Energy, Utilities and Technology

Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - Other Special Revenue Funds

Fiscal Detail and Notes

Any additional costs to the Public Utilities Commission from the removal of the 100-megawatt capacity limit for resources to qualify as a renewable resource or a renewable capacity resource for the purpose of meeting the State's renewable resource portfolio requirement are anticipated to be minor and can be absorbed within existing budgeted resources.