

# MAINE STATE LEGISLATURE

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# 131st MAINE LEGISLATURE

## FIRST REGULAR SESSION-2023

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Legislative Document

No. 175

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H.P. 116

House of Representatives, January 13, 2023

**An Act to Increase the Use of Municipal Waste-to-energy Processes  
as a Source of Renewable Energy**

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Reference to the Committee on Energy, Utilities and Technology suggested and ordered printed.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative CAMPBELL of Orrington.  
Cosponsored by Senator LYFORD of Penobscot and  
Representatives: DRINKWATER of Milford, SOBOLESKI of Phillips, Senator: BLACK of  
Franklin.

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 generators fueled by municipal solid waste in conjunction with  
17 recycling.

18 **Sec. 2. 38 MRSA §2101, sub-§1, ¶B-1** is enacted to read:

19 B-1. Incineration of waste by a waste-to-energy facility to generate electricity;

20 **SUMMARY**

21 This bill amends the solid waste management hierarchy to add the incineration of waste  
22 to generate electricity to the State's solid waste management priorities. The bill also amends  
23 the definition of "renewable capacity resource" in the renewable resource laws to include  
24 a source of electrical generation that relies on generators fueled by municipal solid waste  
25 in conjunction with recycling.