



132nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2025

Legislative Document

No. 638

H.P. 406

House of Representatives, February 25, 2025

**An Act to Create Equal Opportunity Access to Clean Energy by
Removing the 100-megawatt Limit on Clean Energy Sources**

Received by the Clerk of the House on February 20, 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 ARDELL of Monticello.
Cosponsored by Senator BERNARD of Aroostook and
Representatives: DAIGLE of Fort Kent, HENDERSON of Rumford, PAUL of Winterport,
PERKINS of Dover-Foxcroft, SWALLOW of Houlton.

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) to read:

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

6 (a) Fuel cells;

7 (b) Tidal power;

8 (d) Geothermal installations;

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

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

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

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

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

18 (a) Fuel cells;

19 (b) Tidal power;

20 (c) Solar arrays and installations;

21 (d) Wind power installations;

22 (e) Geothermal installations;

23 (f) Hydroelectric generators;

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

26 (h) Generators fueled by municipal solid waste in conjunction with recycling.

27 **SUMMARY**

28 This bill removes the 100-megawatt maximum capacity limit for a source of electrical
29 generation to qualify as a renewable resource for purposes of meeting the State's renewable
30 resource portfolio requirement.