



126th MAINE LEGISLATURE

FIRST REGULAR SESSION-2013

Legislative Document

No. 646

S.P. 237

In Senate, February 26, 2013

An Act To Remove the 100-megawatt Limit on Renewable Sources of Energy

Submitted by the Governor's Energy Office pursuant to Joint Rule 204.
Reference to the Committee on Energy, Utilities and Technology suggested 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 YOUNGBLOOD of Penobscot.
Cosponsored by Representative DUNPHY of Embden and
Senator: THIBODEAU of Waldo, Representatives: CAMPBELL of Orrington, NEWENDYKE
of Litchfield.

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 enacted by PL 2009, c. 542, §3, is
3 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 (c) Solar arrays and installations;

10 (d) Geothermal installations;

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

13 (f) Biomass generators that are fueled by wood or wood waste, landfill gas
14 or anaerobic digestion of agricultural products, by-products or wastes; or

15 (2) That relies on wind power installations.

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

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

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

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

24 (a) Fuel cells;

25 (b) Tidal power;

26 (c) Solar arrays and installations;

27 (d) Wind power installations;

28 (e) Geothermal installations;

29 (f) Hydroelectric generators;

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

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

SUMMARY

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