

Date: (Filing No. S-)

ENERGY, UTILITIES AND TECHNOLOGY

Reproduced and distributed under the direction of the Secretary of the Senate.

STATE OF MAINE

SENATE

132ND LEGISLATURE

FIRST SPECIAL SESSION

COMMITTEE AMENDMENT “ ” to S.P. 163, L.D. 371, “An Act to Expand Hydroelectric Development by Removing the 100-megawatt Cap”

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

'An Act to Expand Hydroelectric Development by Removing the 100-megawatt Cap for Certain Resources'

Amend the bill in section 1 in paragraph B-3 in subparagraph (1) in division (e) in the first 2 lines (page 1, lines 10 and 11 in L.D.) by striking out the following: "~~(e) Hydroelectric generators that meet all state and federal fish passage requirements applicable to the generator;~~" and inserting the following: '(e) Hydroelectric generators located outside of the State that meet all state and federal fish passage requirements applicable to the generator;'

Amend the bill in section 1 in paragraph B-3 in subparagraph (3) in the first line (page 1, line 16 in L.D.) by inserting after the following: "generators" the following: 'located in the State'

Amend the bill in section 2 in paragraph C in subparagraph (2) in division (f) in the first line (page 1, line 31 in L.D.) by striking out the following: "~~(f) Hydroelectric generators;~~" and inserting the following: '(f) Hydroelectric generators located outside of the State;'

Amend the bill in section 2 in paragraph C in subparagraph (3) in the first line (page 1, line 36 in L.D.) by inserting after the following: "generators" the following: 'located in the State'

Amend the bill by striking out all of section 3.

Amend the bill in section 6 in subsection 3-A in the 2nd line (page 2, line 17 in L.D.) by striking out the following: "proposed"

Amend the bill in section 6 in subsection 3-A in the 2nd line (page 2, line 17 in L.D.) by striking out the following: "may" and inserting the following: 'requiring a permit is or will'

1 Amend the bill by striking out all of section 8.

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

4 **SUMMARY**

5 This amendment amends the bill in the following ways.

6 1. It provides that hydroelectric generators located in the State are not subject to a limit
7 of 100 megawatts of power production capacity for the purposes of the definitions of
8 renewable capacity resources and renewable resources in the Maine Revised Statutes, Title
9 35-A, section 3210.

10 2. It removes the section of the bill that requires the Department of Environmental
11 Protection to make a decision on a complete application for a hydropower project under
12 the Maine Waterway Development and Conservation Act within 6 months of the date the
13 properly completed application is received.

14 3. It removes the section of the bill that allowed a hydropower project approved under
15 the Maine Waterway Development and Conservation Act to operate at its full nameplate
16 capacity subject to the requirements of applicable laws and rules.

17 4. It clarifies that the public meeting requirement under the Maine Waterway
18 Development and Conservation Act applies to all hydropower projects requiring a permit
19 instead of those that are proposed hydropower projects.

20 **FISCAL NOTE REQUIRED**

21 **(See attached)**