



132nd MAINE LEGISLATURE

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Legislative Document

No. 212

H.P. 135

House of Representatives, January 21, 2025

**An Act to Require the Valuation of Energy Produced by
Hydropower Dams and Exploration of Alternative Ownership
Options Before They Are Removed**

Received by the Clerk of the House on January 16, 2025. Referred to the Committee on Energy, Utilities and Technology pursuant to Joint Rule 308.2 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 Representatives: BISHOP of Bucksport, SOBOLESKI of Phillips, Senator:
HAGGAN of Penobscot.

1 Be it enacted by the People of the State of Maine as follows:

2 **Sec. 1. 38 MRSA §634, sub-§5** is enacted to read:

3 **5. Dam removal; energy valuation and alternative ownership.** Notwithstanding
4 any provision of this subarticle to the contrary, the department may not approve an
5 application for a permit to remove a dam that is part of a hydropower project unless the
6 applicant:

7 A. Provides to the department an evaluation of the monetary value of the electrical or
8 mechanical power that the dam is capable of generating; and

9 B. Demonstrates to the department that the applicant made all reasonable efforts to
10 sell the dam and was unable to reach an agreement on a sale with an alternative owner.

11 The department may adopt rules to implement this subsection. Rules adopted pursuant to
12 this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter
13 2-A.

14 **SUMMARY**

15 This bill amends the law governing hydropower projects to require an applicant for a
16 permit to remove a dam that is part of a hydropower project to provide to the Department
17 of Environmental Protection or to the Maine Land Use Planning Commission, as
18 applicable, an evaluation of the monetary value of the electrical or mechanical power that
19 the dam is capable of generating. The applicant must also demonstrate to the department
20 or commission that the applicant made all reasonable efforts to sell the dam and was unable
21 to reach an agreement on a sale with an alternative owner. The department or commission
22 is authorized to adopt routine technical rules to implement these requirements.