

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

An Act Regarding Energy-generating Facilities

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

Sec. 1. 38 MRSA §632, sub-§3, as enacted by PL 1983, c. 458, §18, is amended to read:

3. Hydropower project. "Hydropower project" means any development ~~which~~that utilizes the flow or other movement of water, including tidal or wave action, as a source of electrical or mechanical power or ~~which~~that regulates the flow of water for the purpose of generating electrical or mechanical power. A hydropower project development includes all powerhouses, dams, water conduits, turbines or other in-stream power devices, generators, transmission lines, water impoundments, roads and other appurtenant works and structures that are part of the development.

Sec. 2. 38 MRSA §633, sub-§1, as affected by PL 1989, c. 890, Pt. A, §40 and amended by Pt. B, §182, is further amended to read:

1. Permit required. ~~No~~A person may not initiate construction or reconstruction of a hydropower project, or structurally alter a hydropower project in ways that change water levels or flows ~~above or~~ below the dam, without first obtaining a permit from the department.

Effective September 20, 2007