

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)



# 119th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1999

---

Legislative Document

No. 1736

---

H.P. 1207

House of Representatives, March 9, 1999

**An Act to Amend the Site Location of Development Laws to Include the  
Location and Safety of Transmission Towers.**

---

Reference to the Committee on Natural Resources suggested and ordered printed.

A handwritten signature in black ink that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative POWERS of Rockport.  
Cosponsored by Representatives: BULL of Freeport, SHIAH of Bowdoinham, Senator:  
HARRIMAN of Cumberland.

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

2  
4       **Sec. 1. 38 MRSA §487-A, sub-§4** as affected by PL 1989, c.  
6       890, Pt. A, §40 and amended by Pt. B, §96, is further amended to  
8       read:

6  
8       **4. Notice to landowners; transmission line or gas**  
10       **pipeline.** Any person making application under this article, for  
12       approval for a transmission line or gas pipeline shall, prior to  
14       filing a notification pursuant to this article, provide notice to  
16       each owner of real property upon whose land the applicant  
18       proposes to locate a gas pipeline or transmission line. Notice  
20       must be sent by certified mail, postage prepaid, to the  
22       landowner's last known address contained in the applicable tax  
24       assessor's records. The applicant shall file a map with the town  
26       clerk of each municipality through which the pipeline or  
28       transmission line is proposed to be located, indicating the  
30       intended approximate location of the pipeline or transmission  
32       line within the municipality. The applicant is not required to  
34       provide notice of intent to construct a gas pipeline or  
36       transmission line other than as set forth in this subsection.  
38       The department shall receive evidence regarding the location,  
40       character and impact on the environment of the proposed  
42       transmission line or pipeline. In addition to finding that the  
44       requirements of section 484 have been met, the department, in the  
46       case of the transmission line or pipeline, shall consider whether  
48       any proposed alternatives to the proposed location and character  
50       of the transmission line or pipeline may lessen its impact on the  
      environment or the risks it would engender to the public health  
      or safety, without unreasonably increasing its cost. In addition  
      to finding that the requirements of section 484 have been met,  
      the department, in the case of the transmission towers associated  
      with a transmission line, shall consider the visual impact on  
      view corridors and the aesthetic impact of the towers in the  
      context of existing uses. The department may approve or  
      disapprove all or portions of the proposed transmission line and  
      its associated transmission towers or pipeline and shall make  
      such orders regarding its location, character, width and  
      appearance as will lessen its impact on the environment, having  
      regard for any increased costs to the applicant.

#### SUMMARY

44       This bill requires the Department of Environmental  
46       Protection to consider, in the context of reviewing an  
48       application for a site location of development permit, the visual  
50       impact associated with the construction of electric transmission  
      line towers.