

MAINE STATE LEGISLATURE

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125th MAINE LEGISLATURE

FIRST REGULAR SESSION-2011

Legislative Document

No. 865

S.P. 269

In Senate, March 8, 2011

**An Act To Require the Department of Environmental Protection To
Enforce Standards for Smaller-scale Wind Energy Development in
Organized Areas**

Reference to the Committee on Energy, Utilities and Technology suggested and ordered printed.

Joseph G. Carleton Jr.

JOSEPH G. CARLETON, JR.
Secretary of the Senate

Presented by Senator BARTLETT of Cumberland.

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

2 **Sec. 1. 30-A MRSA §4452, sub-§5, ¶T**, as corrected by RR 2007, c. 2, §16, is
3 amended to read:

4 T. Laws pertaining to limitations on construction and excavation near burial sites and
5 established cemeteries in Title 13, section 1371-A and local ordinances and
6 regulations adopted by municipalities in accordance with this section and section
7 3001 regarding those limitations; and

8 **Sec. 2. 30-A MRSA §4452, sub-§5, ¶U**, as corrected by RR 2007, c. 2, §17, is
9 repealed.

10 **Sec. 3. 35-A MRSA §3456, sub-§3**, as enacted by PL 2007, c. 661, Pt. A, §7, is
11 amended to read:

12 **3. Enforcement of standards.** Following certification under this section and during
13 construction and operation, the department shall enforce the standards in subsection 1 for
14 a wind energy development subject to certification under this section ~~may be enforced by~~
15 ~~the municipality in which the generating facilities are located at the municipality's~~
16 ~~discretion pursuant to Title 30-A, section 4452. The department is not responsible for~~
17 ~~enforcement of this section.~~

18 **SUMMARY**

19 This bill requires that the Department of Environmental Protection enforce the
20 standards concerning siting considerations for smaller-scale wind energy development in
21 organized areas.