

MAINE STATE LEGISLATURE

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Date: 4/1/14

(Filing No. S- 483)

ENERGY, UTILITIES AND TECHNOLOGY

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STATE OF MAINE

SENATE

126TH LEGISLATURE

SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 692, L.D. 1750, Bill, "An Act To Amend the Maine Administrative Procedure Act and Clarify Wind Energy Laws"

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

'An Act To Establish Submission Requirements for Wind Energy through Rulemaking'

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

'Sec. 1. 35-A MRSA §3460 is enacted to read:

§3460. Rulemaking; submission requirements

The department shall by rule establish submission requirements for permit applications for wind energy development, including, but not limited to, expedited wind energy development.

Rules adopted under this section are routine technical rules pursuant to Title 5, chapter 375, subchapter 2-A.

Sec. 2. Submission requirements for wind energy developments. Until rules are adopted pursuant to the Maine Revised Statutes, Title 35-A, section 3460, the Department of Environmental Protection may not include as part of submission requirements for permit applications for wind energy development, including, but not limited to, expedited wind energy development as defined in Title 35-A, section 3451, subsection 4, any requirements other than those specified in law or jointly specified by the Department of Environmental Protection and the former Maine Land Use Regulation Commission prior to September 2, 2008 in accordance with Public Law 2007, chapter 661, Part B, section 13.

Sec. 3. Appropriations and allocations. The following appropriations and allocations are made.

ENVIRONMENTAL PROTECTION, DEPARTMENT OF

COMMITTEE AMENDMENT

H. 913

1 **Land and Water Quality 0248**

2 Initiative: Provides a one-time General Fund appropriation of \$2,500 in fiscal year
3 2014-15 for rulemaking related to submission requirements for permit applications for
4 wind energy development.

5	GENERAL FUND	2013-14	2014-15
6	All Other	\$0	\$2,500
7			
8	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$2,500</u>
9			

10 **SUMMARY**

11 This amendment is the majority report of the committee. It requires the Department
12 of Environmental Protection to conduct routine technical rulemaking to establish the
13 submission requirements for permit applications for wind energy developments. It directs
14 the department to use the submission requirements that were established in accordance
15 with Public Law 2007, chapter 661, Part B, section 13 until the rulemaking is completed.
16 This amendment also adds an appropriations and allocations section.

17 **FISCAL NOTE REQUIRED**

18 (See attached)



126th MAINE LEGISLATURE

LD 1750

LR 2650(02)

An Act To Amend the Maine Administrative Procedure Act and Clarify Wind Energy Laws

Fiscal Note for Bill as Amended by Committee Amendment "A" (S-483)
 Committee: Energy, Utilities and Technology
 Fiscal Note Required: Yes

Fiscal Note

	FY 2013-14	FY 2014-15	Projections FY 2015-16	Projections FY 2016-17
Net Cost (Savings)				
General Fund	\$0	\$2,500	\$0	\$0
Appropriations/Allocations				
General Fund	\$0	\$2,500	\$0	\$0

Fiscal Detail and Notes

The bill requires the Department of Environmental Protection (DEP) to establish rules for submission requirements of permit applications for wind energy development. Until DEP adopts these rules, they may not require applicants to submit certain information. The bill includes a General Fund appropriation of \$2,500 in fiscal year 2014-15 to DEP for rulemaking.