



# 125th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2011

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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**

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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9 repealed.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.