130th MAINE LEGISLATURE

FIRST REGULAR SESSION-2021

Legislative Document

<table>
<thead>
<tr>
<th>No. 101</th>
</tr>
</thead>
<tbody>
<tr>
<td>H.P. 67</td>
</tr>
</tbody>
</table>

An Act To Prohibit Offshore Wind Energy Development

Received by the Clerk of the House on January 11, 2021. Referred to the Committee on Energy, Utilities and Technology pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

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

Sec. 1.  35-A MRSA §3405 is enacted to read:

§3405.  Prohibition on offshore wind energy development projects

Notwithstanding any other provision of law to the contrary, a department or agency of the State or a political subdivision thereof may not permit, approve or otherwise authorize an offshore wind energy development project.

For the purposes of this section, "offshore wind energy development project" includes a community-based offshore wind energy project, as that term is defined in Title 12, section 682, subsection 19; a deep-water offshore wind energy pilot project as described in Public Law 2009, chapter 615, Part A, section 6, as amended by Public Law 2013, chapter 369, Part H, sections 1 and 2 and chapter 378, sections 4 to 6; an offshore wind energy demonstration project, as that term is defined in Title 38, section 480-HH, subsection 1, paragraph H; and an offshore wind power project, as that term is defined in Title 38, section 480-B, subsection 6-A.

Sec. 2.  Maine Land Use Planning Commission; submission of legislation.

On or before December 1, 2021, the Department of Agriculture, Conservation and Forestry, Maine Land Use Planning Commission shall submit legislation to the Second Regular Session of the 130th Legislature necessary to align those provisions of law under its jurisdiction with the prohibition on offshore wind energy development projects under the Maine Revised Statutes, Title 35-A, section 3405.

Sec. 3.  Public Utilities Commission; submission of legislation.  On or before December 1, 2021, the Public Utilities Commission shall submit legislation to the Second Regular Session of the 130th Legislature necessary to align those provisions of law under its jurisdiction with the prohibition on offshore wind energy development projects under the Maine Revised Statutes, Title 35-A, section 3405.

Sec. 4.  Department of Environmental Protection; submission of legislation.

On or before December 1, 2021, the Department of Environmental Protection shall submit legislation to the Second Regular Session of the 130th Legislature necessary to align those provisions of law under its jurisdiction with the prohibition on offshore wind energy development projects under the Maine Revised Statutes, Title 35-A, section 3405.

SUMMARY

This bill prohibits any department or agency of the State or any political subdivision of the State from permitting, approving or otherwise authorizing an offshore wind energy development project. The bill also requires the Department of Agriculture, Conservation and Forestry, Maine Land Use Planning Commission, the Public Utilities Commission and the Department of Environmental Protection each to submit by December 1, 2021 legislation necessary to align those provisions of law under their respective jurisdictions with the prohibition on offshore wind energy development projects.

Under the bill, the term "offshore wind energy development project" includes community-based offshore wind energy projects, deep-water offshore wind energy pilot projects, offshore wind energy demonstration projects and offshore wind power projects, which are all categories of projects currently authorized by law.