



# 131st MAINE LEGISLATURE

## FIRST SPECIAL SESSION-2023

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Legislative Document

No. 1839

H.P. 1171

House of Representatives, April 27, 2023

### **An Act to Study a Permitting Process for and Establish a Moratorium on Certain Tall Structures**

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

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative MILLIKEN of Blue Hill.  
Cosponsored by Representatives: DANA of the Passamaquoddy Tribe, GRAMLICH of Old Orchard Beach, JAUCH of Topsham, KESSLER of South Portland, WARREN of Scarborough.

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

2 **Sec. 1. Working group regarding large structures.** The Department of  
3 Environmental Protection, in conjunction with other state agencies and interested parties  
4 as determined by the department, shall convene a working group to determine the need for  
5 a statewide special permitting requirement for large structures over 700 feet in height. The  
6 working group shall consider but is not limited to special environmental concerns regarding  
7 such structures, impact on the surrounding area and natural landscape, impacts on  
8 surrounding communities and infrastructure, navigation and aerial hazards, impact on  
9 wildlife, additional safety requirements and decommissioning procedures. The department  
10 shall report the findings of the working group, including suggested legislation to carry out  
11 the working group's recommendations, to the Joint Standing Committee on Environment  
12 and Natural Resources and the Joint Standing Committee on State and Local Government  
13 by December 31, 2023. The Joint Standing Committee on Environment and Natural  
14 Resources and the Joint Standing Committee on State and Local Government may report  
15 out legislation to the Second Regular Session of the 131st Legislature concerning the report  
16 of the working group.

17 **Sec. 2. Moratorium.** There is a moratorium on the building of structures over 700  
18 feet in height until October 1, 2024. This moratorium does not apply to any project carried  
19 out by a state agency.

20 **SUMMARY**

21 This bill requires the Department of Environmental Protection to convene a working  
22 group to determine the need for a statewide special permitting requirement for large  
23 structures over 700 feet in height. The working group must consider but is not limited to  
24 special environmental concerns regarding such structures, impact on the surrounding area  
25 and natural landscape, impacts on surrounding communities and infrastructure, navigation  
26 and aerial hazards, impact on wildlife, additional safety requirements and decommissioning  
27 procedures. The department must report the findings of the working group, including  
28 suggested legislation to carry out the working group's recommendations, to the Joint  
29 Standing Committee on Environment and Natural Resources and the Joint Standing  
30 Committee on State and Local Government by December 31, 2023. The Joint Standing  
31 Committee on Environment and Natural Resources and the Joint Standing Committee on  
32 State and Local Government may report out legislation to the Second Regular Session of  
33 the 131st Legislature concerning the report of the working group. The bill also imposes a  
34 moratorium on the building of structures over 700 feet in height until October 1, 2024. This  
35 moratorium does not apply to any project carried out by a state agency.