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## **An Act Regarding Wind Power Siting in the Unorganized Territory**

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

**Sec. 1. 35-A MRSA §3402, sub-§2, ¶A,** as enacted by PL 2007, c. 661, Pt. A, §5, is repealed.

**Sec. 2. 38 MRSA §489-A-1, sub-§2, ¶¶C and D,** as enacted by PL 2011, c. 682, §33 and affected by §40, are amended to read:

C. The standards established in rules adopted under section 489-E to implement this section are met; and

D. The Maine Land Use Planning Commission has certified that the proposed development meets any land use standard established by the commission and applicable to the project that is not considered in the department's review under subsection 1; and

**Sec. 3. 38 MRSA §489-A-1, sub-§2, ¶E** is enacted to read:

E. With regard to a grid-scale wind energy development, the Maine Land Use Planning Commission has certified that the area where the proposed development will be located has been zoned for planned development.

**Sec. 4. Rules.** By January 1, 2014, the Maine Land Use Planning Commission shall adopt a rule amending its land use districts and standards to provide that a grid-scale wind energy development proposed after January 1, 2014 is an allowable use only within a planned development subdistrict and adopting any necessary procedures for processing rezoning applications required under this section.

### **SUMMARY**

This bill provides that before the Department of Environmental Protection may approve a proposal for a grid-scale wind energy development in the unorganized or deorganized area of the State, the Maine Land Use Planning Commission must certify that the area where the development will be located has been zoned for planned development and removes a legislative finding regarding wind energy development in the unorganized and deorganized areas of the State.