

Date:

(Filing No. H- )

**STATE AND LOCAL GOVERNMENT**

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
132ND LEGISLATURE  
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 1295, L.D. 1934, “An Act to Promote Responsible Outdoor Lighting”

Amend the bill in section 1 in c. 21 in §481 in subsection 1 in paragraph L in the 2nd line (page 2, line 10 in L.D.) by striking out the following: “downhill skiing areas,”

Amend the bill in section 1 in c. 21 in §481 in subsection 1 in paragraph L in the last line (page 2, line 11 in L.D.) by inserting after the following: “facilities” the following: ‘, excluding ski facilities’

Amend the bill in section 1 in c. 21 in §481 in subsection 2 by striking out all of paragraph E (page 2, lines 36 and 37 in L.D.) and inserting the following:

‘E. The maximum allowable correlated color temperature of outdoor luminaires is 3,000 kelvins. This restriction does not apply to outdoor sports lighting, Department of Transportation roadway lighting pursuant to Title 23, section 708 and pedestrian lighting for sidewalks and crosswalk facilities; and’

Amend the bill in section 1 in c. 21 in §481 in subsection 3 by striking out all of paragraph A (page 3, lines 13 to 15 in L.D.) and inserting the following:

‘A. Regulations, orders or guidance from the United States Department of Transportation, Federal Aviation Administration, Federal Highway Administration or other division of the United States Department of Transportation requires lighting that exceeds or otherwise fails to comply with the standards in subsection 2;’

Amend the bill in section 1 in c. 21 in §481 in subsection 3 in paragraph E in the last line (page 3, line 26 in L.D.) by striking out the following: “and”

Amend the bill in section 1 in c. 21 in §481 in subsection 3 in paragraph F in the first line (page 3, line 27 in L.D.) by striking out the following: “D.” and inserting the following: ‘D.’

Amend the bill in section 1 in c. 21 in §481 in subsection 3 by inserting after paragraph F the following:

1 'G. The public outdoor lighting is used at a ski facility; and

2 H. The public outdoor lighting is regulated or implemented pursuant to Title 23,  
3 section 708.'

4 Amend the bill in section 1 in c. 21 in §481 by striking out all of subsection 4 (page 3,  
5 lines 28 to 36 in L.D.) and inserting the following:

6 **'4. Rulemaking.** The Department of Administrative and Financial Services may adopt  
7 rules governing the implementation of this chapter and may establish appropriate  
8 exemptions to the requirements of this chapter. The Department of Public Safety may  
9 adopt rules establishing exemptions as described in subsection 3, paragraph B. The  
10 Department of Transportation may adopt rules governing the lighting of roadways and  
11 pedestrian facilities to ensure the safety and efficiency of the traveling public. Any  
12 department proposing rules that affect municipalities shall confer with the Maine Office of  
13 Community Affairs before proposing those rules. All rules adopted pursuant to this  
14 subsection are major substantive rules as defined in chapter 375, subchapter 2-A.'

15 Amend the bill in section 1 in c. 21 in §481 by inserting after subsection 4 the  
16 following:

17 **'5. Local ordinances authorized.** A municipality in the State may adopt a local  
18 ordinance to promote compliance with this chapter and to extend its standards as  
19 appropriate beyond public improvements governed by this chapter. No later than  
20 September 30, 2026, the Maine Office of Community Affairs shall develop and share with  
21 municipalities a model ordinance for these purposes.

22 This subsection may not be construed to prohibit a municipality from adopting lighting  
23 ordinances stricter than those adopted by the State pursuant to this chapter, except that  
24 municipalities may not adopt lighting ordinances that conflict with any of the provisions in  
25 Title 23, section 708.'

26 Amend the bill by striking out all of section 2 and inserting the following:

27 **'Sec. 2. Appropriations and allocations.** The following appropriations and  
28 allocations are made.

29 **MAINE OFFICE OF COMMUNITY AFFAIRS**

30 **Maine Office of Community Affairs Z396**

31 Initiative: Provides one-time funding to contract with a consultant to aid in the development  
32 of a responsible outdoor lighting model ordinance.

33 <b>GENERAL FUND</b>	<b>2025-26</b>	<b>2026-27</b>
34 All Other	\$15,000	\$0
35		
36 GENERAL FUND TOTAL	<u>\$15,000</u>	<u>\$0</u>

37 '

38 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section  
39 number to read consecutively.

**SUMMARY**

This amendment, which is the majority report of the committee, amends the bill by excluding ski facilities from the requirements applicable to outdoor sports lighting. It also includes exemptions for lighting regulations, orders or guidance from the Federal Highway Administration or other division of the United States Department of Transportation. The amendment also provides exemptions for Department of Transportation roadway lighting pursuant to Title 23, section 708 and pedestrian lighting for sidewalks and crosswalk facilities and authorizes the Department of Administrative and Financial Services to establish appropriate exemptions to the requirements of this legislation. It also provides that a municipality in the State may adopt local ordinances to promote compliance with this legislation and to extend its standards as appropriate beyond public improvements governed by this legislation and requires that, no later than September 30, 2026, the Maine Office of Community Affairs must develop and share with municipalities a model ordinance for these purposes.

**FISCAL NOTE REQUIRED**

**(See attached)**